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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**ARB No.220 of 2020 (O&M)
Date of Decision: 27.10.2022**

KAMALJIT SINGH BATTA

.....Petitioner

**Vs
BRIJ PAL**

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Anubhav Bansal, Advocate
for the petitioner.

Mr. Navdeep Kalair, Advocate
for the respondent.

RAJ MOHAN SINGH, J.(Oral)

[1]. Petitioner has filed the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter to be referred as 'the Act') for appointment of an independent Arbitrator to settle the dispute between the parties.

[2]. An agreement was executed between the parties on 15.03.2019 in respect of construction of second floor of House No.3049, Sector 20-D, Chandigarh. The petitioner has alleged that the execution of work was delayed and the same was not completed, rather the same was left incomplete despite

repeated requests made by the petitioner. The dispute arose between the parties in respect of non-execution of work in time and excess payment thereof.

[3]. Petitioner has already issued legal notice dated 28.10.2019, requesting the respondent to complete the pending work, failing which the petitioner would get the same completed under his own arrangements at the expense of the respondent. The petitioner had to complete the work assignment at his own expenses and even had to spend the amount to repair the roof top which was leaking and causing loss to the building apart from other works assignments. Notice of invocation was issued for appointment of Arbitrator in terms of agreement dated 15.03.2019.

[4]. During course of arguments, learned counsel for the respondent has no objection in case an independent Arbitrator is appointed to decide the dispute between the parties. Tentative value of the claim as set up by the petitioner is Rs.6 to 7 lakhs along with interest and compensation (if any) subject to final adjudication by the Arbitrator.

[5]. In view of consensus arrived at between the parties, I hereby appoint Sh. Kamal Deep Sehra, Advocate R/o # 20 (SF) Sector 28-A, Chandigarh, Mobile No.9417196208 as the sole

Arbitrator, to resolve the dispute/difference between the parties.

The appointment of the Arbitrator shall be subject to the declaration to be made by him as required under Section 12 of Arbitration and Conciliation Act, 1996 in respect of his independence and impartiality to settle the dispute between the parties.

[6]. The Arbitrator would complete the proceedings within the specified time in terms of Section 29-A of the said Act. The Arbitrator shall be paid fee in accordance with the IVth Schedule of the Act as amended from time to time. The fee shall be borne by both the parties equally.

[7]. Venue of the Arbitration shall be the place to be disclosed by the Arbitrator according to his convenience.

[8]. A copy of this order be dispatched to the Arbitrator at the following address:-

Sh. Kamal Deep Sehra, Advocate
R/o # 20 (SF) Sector 28-A, Chandigarh,
Mobile No.9417196208

[9]. Petition stands disposed of accordingly.

October 27, 2022	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No