

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

ARB-135-2018

Date of Decision: 10th January, 2023

M/s M.N. Trapasia

... Petitioner

Versus

Union of India and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Gautam Goyal, Advocate for
Mr. Vivek Gupta, Advocate for the petitioner.
Mr. B.S. Kanwar, Advocate for the respondents.

AVNEESH JHINGAN , J.(Oral)

1. This is a petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short, 'the Act') for appointment of Sole Arbitrator for adjudication of disputes between the parties.

2. The petitioner was allotted construction of Single Lane Limited Height Survey in lieu of unmanned Line Crossing at Mansa, Bathinda. Clause 64 of General Conditions of contract provides for dispute resolution through arbitration.

3. Notice dated 20th September, 2017 was issued by petitioner for invoking arbitration. Thereafter, present petition is filed.

4. Learned counsel for the parties have not disputed the fact that there is an arbitration clause provide for resolving the differences.

5. The dispute and difference has arisen between parties, the petition is accordingly disposed of by appointing Mr. Justice K.C. Gupta, Former Judge of this Court, # 61, Sector 9, Panchkula as an Arbitrator. The Arbitrator is appointed, subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to

Settle the dispute between the parties.

6. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended or as may be mutually settled by the parties and the Arbitrator. Fee of Arbitrator will be equally borne by both the parties. The Arbitrator is requested to complete proceedings as per time limit specified under Section 29-A of the Act.

7. It is clarified that the reference shall be subject to petitioner's complying with all the requirements of the agreement including the condition of pre-deposit. Copy of the order be sent to the appointed Arbitrator.

(AVNEESH JHINGAN)
JUDGE

10th January, 2023
Parveen Sharma

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No