

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

Arbitration Case No. 338 of 2017(O&M)

Date of decision: 18th January, 2023

V. K. Gupta & Associates

Petitioner

Versus

Greater Ludhiana Area Development Authority & others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Dinesh Gupta, Advocate for the petitioner.
Mr. Harsh Aggarwal for the respondents.

AVNEESH JHINGAN, J (Oral):

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

The parties entered into an agreement for construction of an under bridge at Lodhi Road, Ludhiana.

There was dispute between the parties.

Clause 3 of the general terms and conditions provided for dispute resolution through arbitration. The parties appointed their one nominee each for arbitration. The nominee of the petitioner expired and nominee of the Greater Ludhiana Area Development Authority recused himself.

Learned counsel for the parties on instructions agree that Mr. Justice Ajay Kumar Mittal, retired Chief Justice be appointed as an arbitrator.

The petition is accordingly disposed of by appointing Mr. Justice Ajay Kumar Mittal, retired Chief Justice, H. No. 26, Sector 4,

Chandigarh as the sole arbitrator 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.

The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended. The fee of the arbitrator will be equally borne by both the parties.

The arbitrator is requested to complete the proceedings as per time limit specified under Section 29A of the Act.

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

Since the main case has been disposed of, pending applications, if any, stand disposed of.

Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

18th January, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |