

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

**Arbitration Case No. 279 of 2021
Date of decision: 17th February, 2023**

M/s Radhey Shyam Gupta India Pvt. Ltd.

Petitioner

Versus

State of Haryana and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Manav Bajaj, Advocate for the petitioner.
Mr. Sharad Aggarwal, AAG, Punjab.

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 petitioner was allotted work for reconstruction widening and strengthening of road from Uplana to Rattag Road, dismantling and relaying of CC blocks on Jalmana to Uplani. Clause 24 of the general terms and conditions provides for pre-arbitration mechanism and for dispute resolution through arbitration.

There was a dispute between the parties.

The petitioner raised claim vide notice dated 16.5.2017. Thereafter, the petitioner served notice dated 18.9.2017 for appointment of arbitrator. The needful having not been done, the present petition was filed.

Learned counsel for the parties agree to the appointment of Mr. Justice Inderjit Singh, former Judge of this court as sole arbitrator.

Accordingly, the present petition is disposed of by appointing Mr. Justice Inderjit Singh, former Judge of this court, H. No. 497, IAS, IPS Society, New Chandigarh as sole arbitrator.

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

17th February, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |