

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

**Arbitration Case No. 148 of 2022
Date of decision: 18th January, 2023**

Ashok Kumar contractor

Petitioner

Versus

State of Punjab and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. R. K. Girdhar, Advocate for the petitioner.
Mr. Rajesh Mehta, Addl. AG, 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 awarded work for supplying and laying off UPVC pipes.

Clause 4 of the special conditions of contract provides for dispute resolution through arbitration.

There is a dispute between the parties.

The petitioner gave notice dated 28.2.2022. On failure to do the needful, the present petition was filed.

As per clause 4(d), the seat of arbitrator is at Sri Muktsar Sahib.

Learned counsel for the parties agree that Mr. Sant Ram Bhasin, FIE, Chartered Engineer be appointed as arbitrator.

The petition is accordingly disposed of by appointing Mr. Sant Ram Bhasin, FIE, Chartered Engineer, D-124/S/F/ Anand Vihar, Delhi 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.

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 |