

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

Arbitration Case No. 195 of 2019

Date of decision: 20.1.2023.

Hydrotech Paryavaran (India) Pvt. Ltd.

Petitioner

Versus

Union Territory, Chandigarh and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Anupam Singla, Advocate for the petitioner.
Ms. Akansha Sawhney, Advocate 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 petitioner was allotted tender for providing, installing, testing, commissioning and handing over of S.T.P of 5 MLD capacity at Industrial Area, Phase-III, near village Raipur Kalan, U.T., Chandigarh. The general terms and conditions provides for pre-arbitral settlement of dispute and for dispute resolution through arbitration.

The petitioner approached Executive Engineer vide letter dated 2.9.2017. As needful was not done, the petitioner gave notice dated 24.2.2018 for appointment of the arbitrator. On failure to do the needful, the present petition was filed.

Learned counsel for the parties agree that Mr. Amarjit Singh Katari, Addl. District & Sessions Judge (Retd.) be appointed as arbitrator.

The petition is accordingly disposed of by appointing Mr. Amarjit Singh Katari, Addl. District & Sessions Judge (Retd.), H. No. 145, Phase 3B-1, Sector 60, SAS Nagar 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

20th January, 2023.
mk

- | | | |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |