

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 222 of 2022

Date of decision: 15th May, 2023

M/s M. C. Impex at 3/182 Krishi Niwas, Mall Road, District Karnal

Petitioner

Versus

Public Health Engineering Department, Haryana and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sanjeev Kumar, Advocate for the petitioner.
Mr. Sharad Aggarwal, DAG, Haryana.

AVNEESH JHINGAN, J (Oral):

1. 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.
2. The petitioner was allotted tender for construction of piped channel and laying of RCC pipes. Clause 25(a) of the general terms and conditions provides for pre-arbitration mechanism and dispute resolution through arbitration.
3. The petitioner after availing remedy for pre-arbitral settlement served notice dated 20.8.2021 for appointment of arbitrator. On failure to do the needful, the present petition was filed.
4. Learned counsel for the parties agree to the appointment of Mr. Karan Nehra, Advocate as sole arbitrator.
5. The petition is accordingly disposed of by appointing Mr. Karan Nehra, Advocate, H. No. 247, Sector 9-C, Chandigarh as the sole 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. As there is no seat mentioned in the agreement, the arbitrator

before proceeding further shall determine the place of arbitration as per Section 20(2) of the Act.

- 7. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.
- 8. The arbitrator is requested to complete the proceedings as per time limit specified under Section 29A of the Act.
- 9. It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement.
- 10. Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

15th May, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |