

Arbitration Case No. 360 of 2021

[1]

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

Arbitration Case No. 360 of 2021

Date of decision: 21<sup>st</sup> April, 2023

The Prem Nagar Hisar Adarsh Coop L/C Society

Petitioner

Versus

State of Haryana and others

Respondent

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. Lajpat Sharma, Advocate for the petitioner.  
Mr. Sharad Aggarwal, AAG, 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 work for operation and maintenance of 2<sup>nd</sup> water works Tosham bye-pass Bhiwani and Dadri Road Boosting Station Bhiwani Town. Clause 25-A of the general terms and conditions of agreement provides for pre-arbitration mechanism and dispute settlement for arbitration.
3. There was a dispute between the parties.
4. The petitioner served notice dated 23.12.2020 for invoking arbitration. On failure to do the needful, the present petition was filed.
5. Learned counsel for the State raises a preliminary objection that the petitioner has not availed pre-arbitration mechanism.

Arbitration Case No. 360 of 2021

[2]

6. In view of the above, learned counsel for the petitioner seeks permission to withdraw the present petition at this stage with liberty to avail remedies in accordance with law.
7. Dismissed as withdrawn with liberty as prayed for.

[AVNEESH JHINGAN]  
JUDGE

21<sup>st</sup> April, 2023  
mk

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