

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 394 of 2021
Date of decision: 17th February, 2023

M/s Ankit Construction Company

Petitioner

Versus

Metropolitan Development Authority & others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Deepak Singh Saini, Advcoate for the petitioner.
Mr. Rohit Dheer, Advocate for respondents No. 1 to 4.

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 providing and laying of tack coat on existing surface. Clause 25-A of the general terms and conditions provides for mechanism of pre-arbitration and for dispute resolution through arbitration.

There was a dispute between the parties.

The petitioner raised the claim vide notice dated 20.8.2018. Thereafter, the petitioner served notice dated 9.6.2020 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. R. S. Virk, District & Sessions Judge (Retd.).

Accordingly, the present petition is disposed of by appointing Mr. R. S. Virk, District & Sessions Judge (Retd.), H. No. H-7, Aaron Ville, Fazilpur Road, Sector 48, Gurgaon 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.

17th February, 2023

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[AVNEESH JHINGAN]
JUDGE

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No