

**243 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

ARB-396-2021

Date of Decision: 10th January, 2023

S.B. Gupta Contractor

... Petitioner

Versus

Engineer-in-Chief and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Dinesh Arora, Advocate for the petitioner.

Mr. Sharad Aggarwal, Assistant Advocate General, 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 Sole Arbitrator for adjudication of disputes between the parties.
2. Learned counsel for the State submits that petitioner has not availed pre-mediation mechanism for settling the dispute.
3. Learned counsel for the petitioner on instructions submits that the petitioner has approached the Executive Engineer, however, seeks liberty to approach afresh, if need so arises.
4. Learned counsel for the State submits that the respondents are bound by time frame and procedure stipulated in clause 25-A of the general conditions of the contract.
5. In view of the above, petition is disposed of with liberty as prayed for.
6. Since the main case has been decided, the pending application(s), if any is rendered infructuous.

**(AVNEESH JHINGAN)
JUDGE**

10th January, 2023

anuradha

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No