

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 236 of 2022

Date of decision: 17th March, 2023

M/s SKR Construction Company

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ankit Grewal, Advocate for the petitioner.
Mr. Sharad Aggarwal, AAG, Haryana.

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 construction of new road in District Nuh. Clause 24.3 of the general terms and conditions provides for pre-arbitral settlement mechanism and for dispute resolution through arbitration.

The petitioner served notice under Section 21 of the Act on 21.3.2022. The needful having not been done, the present petition was filed.

Reply filed on behalf of the respondent is taken on record.

Learned counsel for the parties agree to the appointment of Mr. Justice Gurmit Ram, former Judge of this Court, as sole arbitrator.

Accordingly, the present petition is accordingly disposed of by appointing Mr. Justice Gurmit Ram, former Judge of this Court, # 84, Sector 77, Judges Enclave, SAS Nagar, Mohali as the sole arbitrator subject to declaration to be made by him under Section 12 of the Act with

regard to 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.

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 March, 2023
mk

[AVNEESH JHINGAN]
JUDGE

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No