

Arbitration Case No. 154 of 2019 & connected cases [1]

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Arbitration Case No. 154 of 2019
Date of decision: 20.1.2023.

- (1)

Arbitration Case No. 154 of 2019

M/s Sandhu Builders Pvt. Ltd.

Punjab Health Systems Corp. & others

Petitioner

Respondents
- Versus
- (2)

Arbitration Case No. 164 of 2019

M/s Sandhu Builders Pvt. Ltd.

Punjab Health Systems Corp. & others

Petitioner

Respondents
- Versus
- (3)

Arbitration Case No. 165 of 2019

M/s Sandhu Builders Pvt. Ltd.

Punjab Health Systems Corp. & others

Petitioner

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Manish Gauttam, Advocate for the petitioner.
Mr. Ankit Chaudhary, Advocate for the respondents.

AVNEESH JHINGAN, J (Oral):

The afore-mentioned three petitions are filed 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.

Arbitration Case No. 154 of 2019 & connected cases [2]

As the parties are common and the issues are same, the facts are taken from Arbitration Case No. 154 of 2019.

The petitioner was allotted tender for construction of 73 bedded MCH at Civil Hospital, Amritsar.

Clause 4 of the general terms and conditions provides for dispute resolution through arbitration.

There was dispute between the parties. The petitioner gave notice dated 18.4.2019 for appointment of the arbitrator. On failure to do the needful, the present petition was filed.

Learned counsel for the parties agree that Mr. Kuldeep Kumar Kareer, District & Sessions Judge (Retd.), H. No. 262, Sector 7, Chandigarh.

The petitions are accordingly disposed of by appointing Mr. Kuldeep Kumar Kareer, District & Sessions Judge (Retd.), H. No. 262, Sector 7, Chandigarh as the sole arbitrator 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.

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.

Copy of the order be sent to the appointed arbitrator.

Photocopy of the order be placed on the file of each connected case.

[AVNEESH JHINGAN]
JUDGE

20th January, 2023.
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1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No