

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

236

ARB-262-2023

Date of decision: 17.11.2023

Kulbir Singh, Contractor

....Applicant

V/s

State of Haryana and others

....Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI,
ACTING CHIEF JUSTICE**

Present : Ms. Veena Hooda, Advocate for the applicant.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

RITU BAHRI, ACTING CHIEF JUSTICE (Oral)

1. This is a petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of independent person as sole Arbitrator to adjudicate upon the disputes arrived at between the applicant and the respondents.
2. As per the reply filed by the respondents, after serving of the notice on 01.08.2022 (Annexure P-2) by the applicant-Contractor, an application was made by them on 26.12.2022 (Annexure R-1) to the Sub Divisional Engineer Public Health Sub Division Meham stating that notice for appointment of Arbitrator was given on account of non-availability of the site and now the site has been handed-over, thus, there is no need of the Arbitrator. After the handing over the site, the Contractor has executed the work and has submitted the final bill on 21.09.2023 (Annexure R-2) without any protest.

3. In view of the above and the fact that since the work is still in progress, at this stage no case for appointment of Arbitrator is made out.
4. Disposed of.

(RITU BAHRI)
ACTING CHIEF JUSTICE

November 17, 2023
Ajay

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No