

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 277 of 2022
Date of decision: 14th February, 2023

M/s R. K. Jain Infra Projects Pvt. Ltd.

Petitioner

Versus

State of Haryana and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Arshdeep Kaur, 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 tender for collection of toll on TP-39. Clause 39 of the general terms and conditions provides for dispute resolution through arbitration.

There was a dispute between the parties.

The petitioner served notice dated 30.4.2022 for appointment of arbitrator. The needful having not been done, the present petition was filed.

Learned counsel for the State submits that as per clause of the tender, the arbitrators fee shall be paid by the party who will seek arbitration.

Learned counsel for parties agree to the appointment of Mr. Justice Inderjit Singh, former Judge of this court as arbitrator.

Accordingly, the present petition is disposed of by appointing

Mr. Justice Inderjit Singh, former Judge of this court, House No. 497, IAS/IPS Society New Chandigarh 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.

14th February, 2023

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[AVNEESH JHINGAN]
JUDGE

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No