

2023:PHHC:066737
Arbitration Case No. 317 of 2022 & connected case [1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Date of decision: 9th May, 2023

(1) Arbitration Case No. 317 of 2022 (O&M)

The Mattewal Cooperative Labour and Const. Society Ltd.

Petitioner

Versus

Managing Director, (P&F), Punjab Health Systems Corp. and another

Respondents

(2) Arbitration Case No. 318 of 2022

The Mattewal Cooperative Labour and Const. Society Ltd.

Petitioner

Versus

Managing Director, (P&F), Punjab Health Systems Corp. and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner(s).
Mr. Vinod K. Kanwal, Advocate for
Mr. PIP Singh, Advocate for the respondents.

AVNEESH JHINGAN, J (Oral):

1. This order shall dispose of above mentioned two petitions as the facts and issue involved are similar. The facts are being considered from Arbitration Case No. 317 of 2022.

2 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.

3. The petitioner was allotted tender for construction of junior doctors hostel at Government Medical College, Amritsar. Clause 24 of the general terms and conditions provides for pre-arbitration mechanism.

2023:PHHC:066737
Arbitration Case No. 317 of 2022 & connected case [2]

Clause 25 provides for dispute resolution through arbitration.

4. The petitioner issued notice dated 10.6.2022 for appointment of arbitrator. On failure to do the needful, the present petition was filed.
5. Learned counsel for the parties agree to the appointment of Mr. Manjit Singh, District & Sessions Judge (Retd.) as sole arbitrator.
6. The petitions are accordingly disposed of by appointing Mr. Manjit Singh, District & Sessions Judge (Retd.), H. No. 117, Sector 10-A, Chandigarh as the sole arbitrator. The arbitrator is appointed 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.
7. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.
8. The arbitrator is requested to complete the proceedings as per time limit specified under Section 29A of the Act.
9. It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement.
10. Copy of the order be sent to the appointed arbitrator.
11. Photocopy of the order be placed on the file of connected case.

[AVNEESH JHINGAN]
JUDGE

9th May, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |