

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 379 of 2021

Date of decision: 12th January, 2023

Rajeev Kumar Goel

Petitioner

Versus

Haryana Urban Development Authority and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Naveen Kumar, Advocate for the petitioner.
Mr. Deepak Balyan, Advocate for the respondents.

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 construction of Community Centre, Hansi.

Disputes resolution mechanism has been provided in clause 25 of the general conditions of contract.

The petitioner gave notice dated 9.9.2020. On failure to do the needful, the present petition has been filed.

Learned counsel for the respondents opposes the prayer and seeks liberty to raise the issue of limitation before the Arbitrator.

Learned counsel for the parties submit that it would be convenient for both the parties to have arbitration proceedings at Hissar.

The petition is accordingly disposed of by appointing Mr. B. R. Gupta, Additional District & Sessions Judge (Retd.) C/o Mr. N. D. Gupta, # 260, Model Town, Hisar 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.

[AVNEESH JHINGAN]
JUDGE

12th January, 2023
mk

- | | | |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |