

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

246

ARB-580-2021 (O&M)

Date of decision :03.03.2023

M/s Antarctica Construction Company

.....Petitioner

VERSUS

State of Haryana and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. R.K. Girdhar, Advocate,
for the petitioner.

Mr. Sharad Aggarwal, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J. (ORAL)

Learned counsel for the petitioner submits that the petition under Section 11 (6) of the Arbitration & Conciliation Act, 1996, seeking appointment of Arbitrator. Reliance is placed on Clause 24.2 of the terms and conditions of contract for appointment of an arbitrator.

Learned counsel for the State submits that there is pre-arbitration mechanism provided in Clause 24.2, same has not been availed.

Learned counsel for the petitioner seeks, at this stage permission to withdraw the present petition with liberty to approach the concerned authority for availing for pre-arbitration remedy.

In view of the above, present petition stands dismissed as withdrawn with liberty as prayed for.

3rd March, 2023

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**(AVNEESH JHINGAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*