

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 623 of 2021

Date of decision: 3rd March, 2023

M/s Shiva Engineers and Developers

Petitioner

Versus

Union of India

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.
Mr. Shivoy Dhir, Advocate for the respondent.

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 entered into contract agreement for construction work. Clause 25 of the general terms and conditions provided for pre-arbitration and dispute resolution through arbitration.

There was a dispute between the parties.

The petitioner raised claim vide notice dated 10.8.2021. Thereafter, notice under Section 21 of the Act was served on 8.11.2021. The needful having not been done, the present petition was filed.

Learned counsel for the parties agree to the appointment of Justice Rajiv Narain Raina, former Judge of this court, as sole arbitrator.

The petition is accordingly disposed of by appointing Mr. Justice Rajiv Narain Rains (Retd.), H. No. E/8-03 (GF), DLF, The Valley (Near Amravati Enclave), Pinjore-Kalka Urban Complex, Sector 3, Panchkula as the sole arbitrator.

The Arbitrator shall be paid fee in accordance with the Fourth

Schedule of the Act, as amended or as may be mutually settled by the parties and the Arbitrator.

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

3rd March, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |