

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

Arbitration Case No. 311 of 2019

Date of decision: 20.1.2023.

M/s Nation Builders, Pathankot

Petitioner

Versus

The State of Punjab and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Mehak Sawhney, Advocate for the petitioner.
Mr. Rajesh Mehta, Addl. AG, Punjab.

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 work for covering Ganda Nala passing through Quadian Town District Gurdaspur by constructing RCC Box Type channel etc. Clause 25 of the general terms and conditions provides for dispute resolution through arbitration.

There was a dispute between the parties.

The petitioner served notice dated 29.4.2019 for appointment of an arbitrator. On failure to do the needful, the present petition was filed.

Learned counsel for the parties agree that Mr. Bua Jee Sansi, Additional District & Sessions Judge (Retd.) be appointed as an arbitrator.

The petition is accordingly disposed of by appointing Mr. Bua Jee Sansi, Addl. District & Sessions Judge (Retd.), H. No. 2826, Sector 61, Mohali 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

20th January, 2023.
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |