

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

Arbitration Case No. 479 of 2022

Date of decision: 28th March, 2023

M/s R. V. Associates

Petitioner

Versus

State of Punjab and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. R. K. Girdhar, Advocate for the petitioner.
Mr. Charanpreet Singh, AAG, 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 tender for supply of material and skilled labour for the construction of play field/sports park at village Mangwal, District Sangur. Clause 25 of the general terms and conditions provides for pre-arbitral settlement mechanism and for dispute resolution through arbitration.

The petitioner raised a claim vide letter dated 20.10.2022. Notice under Section 21 of the Act was issued on 10.11.2022. The needful having not been done, the present petition was filed.

Learned counsel for the parties agree to the appointment of Ms. Harsimrat Rai, Advocate as sole arbitrator.

Needless to say that the respondent would be at liberty to raise the pleas as raised for opposing the petition before the arbitrator at an

appropriate stage.

Accordingly, the present petition is disposed of by appointing Ms. Harsimrat Rai, Advocate, H. No. 401, GH-9, Sector 20, Panchkula as the sole arbitrator subject to declaration to be made by her under Section 12 of the Act with regard to 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.

Since the main case has been disposed of, pending applications, if any, stand disposed of.

Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

28th March, 2023

mk

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