

ARB-78-2024

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

281

ARB-78-2024

Date of Decision: 01.10.2024

M/s Alubuild Engineers Private Limited**...Applicant**

Versus

M/s Fantasy Buildwell Private Limited**...Respondent****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

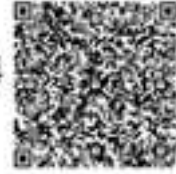
Present: - Ms. Manju Goyal, Advocate
Mr. Kushagra Bansal, Advocate and
Mr. Pankaj Goyal, Advocate for the applicant

Mr. Jagdeep Singh Rana, Advocate for the respondent

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicant is seeking appointment of an Arbitrator.

2. The respondent executed work order dated 31.01.2018 (Annexure P-4) in favour of the applicant. Thereafter, amended work order dated 17.10.2018 (Annexure P-5) was issued. A dispute erupted between the parties. There is an arbitration clause in the terms and conditions of work order dated 31.01.2018. The allotment of work, arbitration clause in the terms and conditions of work order dated 31.01.2018 and service of notice under Section 21 of 1996 Act is not disputed.



3. Learned counsel for the respondent submits that he leaves it to this Court to make appointment of an independent Arbitrator.

4. Conditions to invoke power conferred by Section 11(6) of 1996 Act stand satisfied, thus, I hereby appoint a sole Arbitrator to adjudicate the dispute between the parties.

5. Mr. Sushil Kumar Gupta, District & Sessions Judge (Retd.), residing at Flat 3B, Building 3, The Hibiscus, Sector 50, Gurugram, Mobile No.8053011222 is hereby appointed as a Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory requirements. The learned Arbitrator is requested to comply with mandate of Section 12 of 1996 Act before proceeding further.

6. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.

7. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

8. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

9. Needless to mention, parties would be at liberty to raise all the claims/defences/counter claims/pleas before the Arbitrator. Any observation made hereinabove will not be binding on the learned Arbitrator.



10. A request letter along with copy of this order be sent to Mr. Sushil Kumar Gupta.

(JAGMOHAN BANSAL)
JUDGE

01.10.2024
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No