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

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Date of Decision: 19.09.2024

Gurinder Singh

...Applicant

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Amit Kumar Gupta, Advocate for the applicant

Mr. Ramandeep Singh, Senior Deputy Advocate General, Punjab

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 applicant was allotted work by the respondent vide letter dated 16.12.2011 (Annexure P-2). Thereafter, an agreement was executed. There is an arbitration clause in the aforesaid agreement. The allotment of work, arbitration clause in the agreement and service of notice under Section 21 of 1996 Act is not disputed.

3. Learned counsel for the parties are *ad idem* that on the earlier occasion, an Arbitrator was appointed who proceeded with the matter,

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however, before conclusion of the proceedings, his mandate expired. Both sides submit that another Arbitrator may be appointed.

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. Manmohan Singh, Retired Chief Engineer-cum-Engineer-in-Chief, Department of Local Government and Former Member, Punjab Infrastructure Regulatory Authority, residing at House No.74, Ward No.07, Gurdwara Road, Kharar, District Mohali- 140301, Mobile No.9876700454 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. It is made clear that proceedings shall continue from the stage already reached and on the basis of evidence and material already on record.

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

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

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



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10. 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.

11. A request letter along with copy of this order be sent to Mr. Manmohan Singh.

(JAGMOHAN BANSAL)
JUDGE

19.09.2024
Mohit Kumar

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