



ARB-197-2024 (O&M)

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

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ARB-197-2024 (O&M)
Date of Decision: 08.08.2024

M/s Chaudhary and Co.

...Applicant

Versus

Northern Railway and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Manoj Kumar Taya, Advocate for the petitioner

Mr. Tapan Masta, Advocate for respondent Nos.1 and 2

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 parties entered into agreement dated 19.02.2021 (Annexure P-1). It was specified that Standard General Conditions of Contract (Annexure P-3) will be applicable to the agreement. There is an arbitration clause in Standard General Conditions of Contract. The parties are neither disputing existence of agreement nor arbitration clause.



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3. The applicant, in terms of Section 21 of 1996 Act, served notice dated 14.11.2023 (Annexure P-9) upon the respondent. The respondent did not act upon the said notice within the prescribed period.

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. Justice (Retd.) Amar Nath Jindal, residing at House No.12, Sector 15, Panchkula, Haryana, Mobile No. 8528300000 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 Act.

9. Needless to mention, parties will 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. Justice (Retd.) Amar Nath Jindal.

11. Pending application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

08.08.2024
Mohit Kumar

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