



ARB-217-2024 (O&M)

-1-

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

290/1

ARB-217-2024 (O&M)
Date of Decision: 10.09.2024

M/s Subodh Construction

...Applicant

Versus

The Engineer-in-Chief, Irrigation Department, Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Robin Dutt, Advocate for the applicant

Mr. Parveen Chandra Goyal, Addl. Advocate General, Haryana

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. Pursuant to a tender, the applicant was allotted work by the respondent. Thereafter, an agreement dated 27.01.2022 (Annexure P-2) was executed between the parties. A dispute erupted between the parties. There is an arbitration clause in the tender document. The allotment of work, execution



ARB-217-2024 (O&M)

-2-

of agreement, arbitration clause in the tender document and service of notice under Section 21 of 1996 Act is not disputed.

3. 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.

4. Mr. Justice Rajive Bhalla, Retired Judge of this Court, residing at House No.257, Sector 10-A, Chandigarh, Mobile No.9780008111 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.

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

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

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

8. 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.

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

10. A request letter along with copy of this order be sent to
Mr. Justice Rajive Bhalla.

(JAGMOHAN BANSAL)
JUDGE

10.09.2024
Mohit Kumar

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