



ARB-214-2023

-1-

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

265

ARB-214-2023

Date of Decision: 02.09.2024

Rajesh Kumar

...Applicant

**Versus**

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Ms. Veena Hooda, Advocate for the applicant

Ms. Harsh Rekha Kapoor, Assistant 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. The applicant was allotted work vide letter dated 27.06.2019 (Annexure P-1) by the respondent. Thereafter, a contract agreement was executed between the parties. There is an arbitration clause in the aforesaid agreement. The allotment of work, execution of contract agreement, arbitration clause in the agreement and service of notice under Section 21 of 1996 Act is not disputed.
3. Learned State counsel submits that as per terms and conditions of the arbitration agreement, the applicant is required to make pre-deposit of 10% of claimed amount.



4. The applicant, on being confronted with the said clause, submits that pre-deposit would be made within four weeks from today.

5. 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.

6. Mr. M.S. Viridi, District & Sessions Judge (Retd.), residing at House No.1061, Sector 4, Panchkula, Mobile No.9814370288 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.

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.

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. M.S. Virdi.

(JAGMOHAN BANSAL)  
JUDGE

02.09.2024  
Mohit Kumar

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |