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

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Date of Decision: 16.12.2024

M/s Triveni Constructions

...Applicant

**Versus**

Union of India and others

...Respondents

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

Present: - Mr. J.S. Rana, Advocate for the applicant

Mr. Yash Pal Sharma, Central Government Counsel  
for Union of India-respondents (*through video conferencing*)

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**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 15.01.2020 (Annexure P-2). A dispute erupted between the parties. There is an arbitration clause in General Conditions of Contract. The allotment of work, arbitration clause in General Conditions of Contract and service of notice under Section 21 of 1996 Act is not disputed.

3. On the last date of hearing, the respondent submitted that the applicant should approach the authorities for Conciliation as there is possibility of resolving the matter through Conciliation proceedings.

4. Learned counsel for the respondent submits that the applicant has not approached the authorities for Conciliation proceedings.

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5. As per statement of learned counsel for the applicant and documents on record, the applicant, from time to time, approached the respondent authorities and they have rejected claim of the applicant. During the course of hearing, learned counsel for the applicant produced communication dated 02.12.2024 whereby respondent has rejected claim of the applicant.

6. Faced with this learned counsel for the respondents submits that he leaves it to this Court to make appointment of an independent Arbitrator.

7. 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.

8. Mr. Justice Pramjeet Singh Dhaliwal, Retired Judge of this Court, residing at House No.2254, Sector 35-C, Chandigarh, Mobile Nos.7837049204 & 9814115825 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.

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

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

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



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12.           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.

13.           A request letter along with copy of this order be sent to Mr. Justice Pramjeet Singh Dhaliwal.

(JAGMOHAN BANSAL)  
JUDGE

16.12.2024  
Mohit Kumar

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