2024:PHHC:118761

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

292 **ARB-241-2024 (O&M)**
Date of Decision: 10.09.2024

M/s Ramesh Kumar Mittal **…Applicant**

Versus

Bharat Sanchar Nigam Limited and others **…Respondents**

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Anil Sharma, Advocate for the applicant

Ms. Anita Sharma, Advocate for the respondents

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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, being successful bidder, was allotted work by the respondent vide allotment letter dated 27.09.2018 (Annexure P-1). Thereafter, a contract agreement dated 10.10.2018 (Annexure P-2) was executed between the parties. A dispute erupted between the parties. There is an arbitration clause in the aforesaid agreement. The execution of agreement, arbitration clause in the agreement and service of notice under Section 21 of 1996 Act is not disputed.

MOHIT KUMAR
2024.09.11 09:14
I attest to the accuracy and
integrity of this order/judgment.

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. Lachhman Singh, Additional District & Sessions Judge (Retd.), residing at House No.537, The Foothills, IAS-PCS Society, Sector 1-A, New Chandigarh, Mullanpur, Punjab-140901, Mobile No.8558807005 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.

MOHIT KUMAR
2024.09.11 09:14
I attest to the accuracy and
integrity of this order/judgment.

10. A request letter along with copy of this order be sent to Mr. Lachhman Singh.

(JAGMOHAN BANSAL)
JUDGE

10.09.2024
Mohit Kumar

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

MOHIT KUMAR
2024.09.11 09:14
I attest to the accuracy and
integrity of this order/judgment.