



ARB-280-2024 (O&M)

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

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Decided on 12.11.2024

The Dikadla Co-op L&C Society Limited

...Applicant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Sanjeev Kumar, Advocate and
Ms. Sanju Wadhwa, 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. Pursuant to tender, the applicant was allotted work by the respondent vide letter dated 16.11.2017 (Annexure P-2). A dispute erupted between the parties. There is an arbitration clause in the tender document. The allotment of work, arbitration clause in the tender document and service of demand notice is not disputed.

3. Learned State counsel submits that as per instructions, the respondent has already made full and final payment, nevertheless, she leaves it to this Court to decide question of appointment of Arbitral Tribunal. She



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further submits that as per arbitration clause, the applicant has to make pre-deposit of 7.5% of the claimed amount.

4. The applicant, on being confronted with the said clause, submits that pre-deposit would be made within eight 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. Justice Amar Nath Jindal, Retired Judge of this Court, 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.

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 1996 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. Pending application(s), if any, shall stand disposed of.
12. A request letter along with copy of this order be sent to
Mr. Justice Amar Nath Jindal.

(JAGMOHAN BANSAL)

JUDGE

12.11.2024

Mohit Kumar

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