

ARB-286-2023

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

261

ARB-286-2023

Date of decision:30.04.2024

M/S NASEEB CONSTRUCTION CO.

...PETITIONER

VS.

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Manvinder Sidhu, Advocate
for the petitioner.

Mr. Sharad Aggarwal, DAG, Haryana.

SUVIR SEHGAL J. (ORAL)

1. Instant petition has been filed under Section 11(6) read with Section 12 (1) (b) and fifth schedule of the Arbitration and Conciliation Act, 1996, (for short “the Act”), for appointment of an Arbitrator to adjudicate the dispute between the parties, which has arisen out of agreement dated 07.12.2017, Annexure P-1.

2. Upon notice, written statement has been filed on behalf of the respondents, wherein it has been submitted that the respondents do not have any objection to the appointment of an Arbitrator from the approved list provided the petitioner deposits of the claim fee as per Clause 24.3 of the General Conditions of the Contract.

3. At this stage, counsel for the petitioner submits that the petitioner is prepared to make the necessary deposit.
4. In view of the above, prayer made in the petition deserves acceptance.
5. Petition is allowed. Mr. Justice Adarsh Kumar Goel, a former judge of the Supreme Court, # C-2/24, Safdarjung Development Area, New Delhi, Mobile No.9910213040, is requested to act as a sole Arbitrator to adjudicate the dispute between the parties.
6. Parties are directed to appear before the learned Arbitrator on a day, time and place to be communicated by him.
7. Liberty is granted to the parties to request the learned Arbitrator to hold the proceedings at Chandigarh.
8. Liberty is also granted to the parties to raise all the claims, counter claims, defences, pleas etc. before the Arbitrator.
9. A request letter alongwith a copy of this order be sent to Mr. Justice Adarsh Kumar Goel (Retd.).

30.04.2024

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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No