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

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Date of Decision: 16.09.2024

Satish Kumar Gupta

...Applicant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Ankit Midha, 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 a tender, the bid of the applicant was accepted by the respondent vide letter dated 28.07.2017 (Annexure P-1). Thereafter, an agreement dated 02.08.2017 (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.

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3. Learned counsel for the applicant submits that in terms of agreement executed between the parties, the applicant would deposit 2% of the claimed amount within four weeks from today.

4. 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.

5. Mr. Justice Tejinder Singh Dhindsa, Retired Judge of this Court, residing at House No.123, Sector 8, Chandigarh Mobile Nos.7837049208 & 9815308888 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.

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

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

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

9. 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.



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

(JAGMOHAN BANSAL)
JUDGE

16.09.2024
Mohit Kumar

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