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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17556-2023

Date of decision:-04.12.2024

M/s Brightway Contractors & Developers -Dinesh Construction Co.

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr. Dheeraj Mahajan, Advocate and
Ms. Rashika Bansal, Advocate
for the petitioner.

Mr. Brijesh, AAG, Punjab.

Mr. Harjinder Singh, Advocate
for respondent No.2.

SUVIR SEHGAL, J.(ORAL)

1. This writ petition has been filed under Article 226 of the Constitution of India *inter alia* for issuance of a writ in the nature of mandamus directing the respondents to appoint an Adjudicator in terms of Clause 23 of the contract agreement, Annexure P1 dated 21.05.2014.

2. By referring to email dated 31.07.2024 received from Institute of Engineers, counsel for Punjab Heritage and Tourism Promotion Board (PHTPB) – respondent No.2 submits that the Institute has intimated that an amount of Rs.59,000/- (inclusive of Rs.50,000/- for claim up to Rs.10 crores and GST) has to be deposited as one time



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processing fee.

3. Mr. Dheeraj Mahajan, counsel for the petitioner upon instructions, submits that this amount has to be deposited in equal share by both the parties. He submits that the petitioner would deposit its share of that amount within fortnight from today.

4. On deposit of half share by the petitioner, respondent No.2 shall deposit the balance amount within a fortnight thereafter. Once the entire amount is deposited, President Institute of Engineers, is directed to appoint an Adjudicator in terms of Arbitration Clause within a period of four weeks of the deposit.

5. Petition is disposed of.

04.12.2024
Brij

(SUVIR SEHGAL)
JUDGE

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