



ARB-318-2024

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

308

ARB-318-2024

Date of decision: 13.11.2024

M/S TREHAN CONSTRUCTION COMPANY

....APPLICANT

Vs.

**GENERAL MANAGER (ENGINEERING) NORTHERN RAILWAY AND  
ANOTHER**

...RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Nimish Gautam, Advocate  
for the applicant.

Mr. Divoy Sarup, 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. Pursuant to tender, the applicant was allotted work vide letter dated 03.07.2020 (Annexure P-1) by the respondent. A dispute erupted between the parties. There is an arbitration clause in General Conditions of Contract. The allotment of work, arbitration clause in the General Conditions of Contract and service of notice under Section 21 of 1996 Act is not disputed.
3. Learned counsel for the respondents submits that he leaves it to this Court to make appointment of an independent Arbitrator.



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. Ms. Gurvinder Kaur, Additional District & Sessions Judge (retired), residing at House No. 2806, Sector-61, SAS Nagar, Mohali-160059, Mobile No. 8397920888 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 1996 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.
10. A request letter along with copy of this order be sent to Ms.Gurvinder Kaur, Additional District & Sessions Judge (retired).

13.11.2024  
manoj

[JAGMOHAN BANSAL]  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |