

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 12.01.2024

1. Arbitration Case No. 349-2023 (O&M)

Yashi Consulting Services Pvt. Ltd.
Versus
Directorate of Urban Local Bodies Department, Govt. of Haryana.

.....Applicant(s)

...Respondent(s)
2. Arbitration Case No. 350-2023 (O&M)

Yashi Consulting Services Pvt. Ltd.
Versus
Directorate of Urban Local Bodies Department, Govt. of Haryana.

.....Applicant(s)

...Respondent(s)

3. Arbitration Case No. 351-2023 (O&M)

Yashi Consulting Services Pvt. Ltd.
Versus
Directorate of Urban Local Bodies Department, Govt. of Haryana.

.....Applicant(s)

...Respondent(s)

4. Arbitration Case No. 352-2023 (O&M)

Yashi Consulting Services Pvt. Ltd.
Versus
Directorate of Urban Local Bodies Department, Govt. of Haryana.

.....Applicant(s)

...Respondent(s)

5. Arbitration Case No. 354-2023 (O&M)

Yashi Consulting Services Pvt. Ltd.
Versus
Directorate of Urban Local Bodies Department, Govt. of Haryana.

.....Applicant(s)

...Respondent(s)

6. Arbitration Case No. 355-2023 (O&M)

Yashi Consulting Services Pvt. Ltd.
Versus
Directorate of Urban Local Bodies Department, Govt. of Haryana.

.....Applicant(s)

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE

Present:- Mr. Amrinder Singh, Advocate, for the applicant.
Mr. Deepak Balyan, Addl. Advocate General, Haryana.

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RITU BAHRI, ACTING CHIEF JUSTICE (ORAL)

On 08.12.2023, learned State counsel appearing for the respondent-State of Haryana had sought time to assist the Court whether the respondent is agreeable for appointment of three Arbitrators as per Clause

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I attest to the accuracy and
integrity of this document

17.2 of the agreement dated 13.08.2019 (Annexure P-2), as name of one Arbitrator has already been given by the applicant.

2. Today, learned State counsel for the respondent suggests the name of Justice Surinder Gupta, a former Judge of this Court, to be appointed as Arbitrator on behalf of the respondent. The petitioner has already given the name of Justice Atul Kumar Jain, former Judge of Rajasthan High Court, as Arbitrator on their behalf.

3. Clause 17.2 of the agreement (Annexure P-1) dated 08.08.2019 entered into between the parties reads as under:-

“17.2 In case the escalations do not result in resolution of the dispute within time stipulated for escalation, then the same shall be referred to the Arbitral Tribunal comprising of three arbitrators in accordance to the Arbitration and Conciliation Act, 1996, as amended on the date of the reference. Each party shall nominate one arbitrator and such nominated arbitrators shall nominate the third arbitrator.”

4. In view of the above-said clause, the arbitrators suggested by both the parties will nominate the third arbitrator and the seat of arbitration shall be at Panchkula.

5. Further prayer of the petitioner is that since all the six petitions arise out of the same agreement arrived at between the parties and Arbitral Tribunal has been constituted, all these petitions be decided by the same Arbitrator.

6. In view of the above, all these petitions stand disposed of with a direction that the arbitrators suggested by both the parties will nominate the third arbitrator to adjudicate upon the disputes between the parties.

(RITU BAHRI)
ACTING CHIEF JUSTICE

12.01.2024

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