



ARB-379-2024

-1-

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

275

ARB-379-2024

Date of Decision: 02.12.2024

Arvindera Electricals

...Applicant

Versus

Greater Mohali Area Development Authority and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Sourabh Goel, Advocate and
Mr. Akash Khurana, Advocate for the applicant
Mr. J.S. Gill, Advocate for the respondents

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 20.12.2021 (Annexure P-1) by the respondent. Thereafter, an agreement dated 30.12.2021 (Annexure P-3) was executed between the parties. There is an arbitration clause in the General Conditions of Contract. The allotment of work, execution of agreement, arbitration clause in General Conditions of Contract and service of notice under Section 21 of 1996 Act is not disputed.

**ARB-379-2024****-2-**

3. Learned counsel for the respondents submits that the applicant has not completed assigned work, thus, in the absence of completion of work, Arbitrator may not be appointed.

4. The issue raised by learned counsel for the respondent needs to be adjudicated by the Arbitral Tribunal especially when there is no dispute with respect to the arbitration agreement.

5. 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.

6. Mr. Ashok Kumar Singla, District & Sessions Judge (Retd.), residing at House No.486, Punjab IAS PCS Colony, Mullanpur, New Chandigarh 140901, Mobile Nos.9417376110 and 7888329582 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.

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

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

9. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.



ARB-379-2024

-3-

10. 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.

11. A request letter along with copy of this order be sent to Mr. Ashok Kumar Singla.

(JAGMOHAN BANSAL)
JUDGE

02.12.2024
Mohit Kumar

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