



ARB-451-2024

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

299/3

ARB-451-2024

Date of Decision: 15.10.2024

M/s G.K. Construction Company

...Applicant

Versus

**The Chairman-Cum-Administrator, Amritsar Improvement Trust,
Amritsar and another** **...Respondents**

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Ms. Rashika Bansal, Advocate
for Mr. Dheeraj Mahajan, Advocate for the applicant
Mr. Vikram Preet Arora, 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 by the respondent. An agreement dated 06.05.2016 (Annexure P-1) was executed between the parties. A dispute erupted between the parties. There is an arbitration clause in the tender document. The allotment of work, execution of agreement, arbitration clause in the tender document 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.

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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. Gurcharan Singh Saran, District & Sessions Judge (Retd.), residing at House No.74, Punjab Judges and Officers Enclave, Sector 77, Mohali, Mobile Nos.9463594949 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 Mr. Gurcharan Singh Saran.

(JAGMOHAN BANSAL)
JUDGE

15.10.2024*Mohit Kumar*

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