



ARB-431-2023 (O&M)

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

279

ARB-431-2023 (O&M)

Date of Decision: 17.12.2024

K.B.G. Engineers

...Applicant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Vinod Dahiya, Advocate,
Mr. Saaranish Sharma, Advocate and
Ms. Vandna Dahiya, Advocate for the applicant

Mr. Deepak Balyan, Advocate and
Ms. Vicky Chauhan, Advocate for respondent Nos.2 to 5

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11 of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicant is seeking appointment of an Arbitrator.

2. Pursuant to tender, the bid of the applicant was accepted vide letter dated 11.07.2014 (Annexure A-6). A dispute erupted between the parties. There is an arbitration clause in Conditions of Contract. The allotment of work, arbitration clause in Conditions of Contract and service of notice under Section 21 of 1996 Act is not disputed.

3. Learned counsel for respondent Nos.2 to 5 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.

**ARB-431-2023 (O&M)****-2-**

5. Mr. Justice Rajive Bhalla, Retired Judge of this Court, residing at House No.257, Sector 10-A, Chandigarh, Mobile No.9780008111 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. Pending application(s), if any, shall stand disposed of.

11. A request letter along with copy of this order be sent to Mr. Justice Rajive Bhalla.

(JAGMOHAN BANSAL)
JUDGE

17.12.2024*Mohit Kumar*

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