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

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Date of Decision: 02.12.2024

Vinod Kumar Bansal

...Applicant

Versus

Punjab Water Supply and Sewerage Board and another ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Shivam Sachdeva, Advocate for the applicant

Mr. Jagdeep Singh Rana, Advocate for the respondent

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 30.12.2021 (Annexure P-2) by the respondent. A dispute erupted between the parties. There is an arbitration clause in the General Conditions of Contract. The allotment of work, arbitration clause in General Conditions of Contract and service of notice under Section 21 of 1996 Act is not disputed.

3. Learned counsel for the respondents, at the first instance, vehemently opposed the application, however, on being confronted with the

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arbitration agreement, submitted 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. Mr. Justice Raj Shekhar Attri, Retired Judge of this Court, residing at House No. 379, The Foothills, The New Punjab Judicial Officer Cooperative Building Society, Mullanpur, Mobile No.7347025002 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.



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10. A request letter along with copy of this order be sent to Mr. Justice Raj Shekhar Attri.

(JAGMOHAN BANSAL)
JUDGE

02.12.2024
Mohit Kumar

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