



ARB-504-2023

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

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Date of Decision: 28.08.2024

Sandeep Kundu (Contractor)

...Applicant

Versus

The Executive Engineer, H.S.V.P. and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Rohit Rana, Advocate and
Mr. Rajveer Singh, Advocate for the applicant

Mr. Harmanjot Singh Gill, Advocate and
Mr. Udayveer Singh Sidhu, Advocate for the respondents

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. Reply filed by the respondents is taken on record. Registry is directed to tag the same at an appropriate place.
3. The applicant was allotted work vide letter dated 18.04.2016 by respondent No.1. Thereafter, the parties entered into contract agreement dated 18.04.2016. There is an arbitration clause in the contract agreement. The allotment of work, execution of contract agreement, arbitration clause in the

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contract agreement and service of notice under Section 21 of 1996 Act is not disputed.

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 Adarsh Kumar Goel, Retired Judge of Supreme Court, residing at C-2/24, Safdarjung Development Area, New Delhi- 110016, Mobile No.9910213040 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 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.
Justice Adarsh Kumar Goel.

(JAGMOHAN BANSAL)
JUDGE

28.08.2024
Mohit Kumar

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