



ARB-537-2024 & ARB-541-2024 -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223+224

ARB-537-2024

Date of Decision: 13.12.2024

ML Jain Construction Company

...Applicant

Versus

State of Haryana and others

...Respondents

And

ARB-541-2024

ML Jain Construction Company

...Applicant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Ankit Midha, Advocate for the applicant

Ms. Safia Gupta, Assistant Advocate General, Haryana

JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in both the captioned applications, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from *ARB-537-2024*.

2. 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.

3. Pursuant to tender, the bid of the applicant was accepted vide acceptance letter dated 19.09.2017 (Annexure P-1). Thereafter, an

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

4. Learned State counsel submits that she leaves it to this Court to make appointment of an independent Arbitrator.

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. Justice L.N. Mittal, Retired Judge of this Court, residing at House No.93, Sector 4, MDC, Panchkula- 134114, Mobile No.9780008127 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.

10. Needless to mention, parties would be at liberty to raise all the claims/defences/counter claims/pleas before the Arbitrator. Any observation

11. A request letter along with copy of this order be sent to

Mr. Justice L.N. Mittal.

(JAGMOHAN BANSAL)
JUDGE

13.12.2024
Mohit Kumar

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