



ARB-538-2023

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

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Date of Decision: 28.08.2024

M/s Kuldip Construction Co.

...Applicant

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Anand Vardhan Khanna, Advocate for the applicant

Mr. Divay Sarup, Advocate for respondents

(through video conferencing)

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. The applicant was allotted work vide letter dated 12.10.2012 (Annexure P-1) by the respondent. There is an arbitration clause in the General Conditions of Contract. The allotment of work, arbitration clause in the General Conditions of Contract and service of notice under Section 21 of 1996 Act is not disputed.

3. 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.



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4. Mr. Sudesh Kumar Verma, Former Superintending Engineer, Punjab Water Supply and Sewerage Board, residing at House No.12-F, Shere Punjab Colony, Barewal Road, Ludhiana- 141012, Mobile No.9779084127 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.

5. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.

6. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

7. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the Act.

8. 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.

9. A request letter along with copy of this order be sent to Mr. Sudesh Kumar Verma.

(JAGMOHAN BANSAL)
JUDGE

28.08.2024*Mohit Kumar*

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