



ARB-544-2023

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

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Date of Decision: 27.08.2024

M/s Saroha Construction Company

...Applicant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Lajpat Sharma, Advocate
for Mr. Vivek Khatri, Advocate for the applicant
Ms. Harsh Rekha Kapoor, Assistant Advocate General, Haryana

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 of acceptance dated 03.07.2018 (Annexure P-1) and thereafter, an agreement was executed between the parties. There is an arbitration clause in the agreement. The allotment of work, arbitration clause in the agreement and service of notice under Section 21 of 1996 Act is not disputed.
3. Learned State counsel submits that as per internal mechanism developed by the respondent-State, an Arbitrator may be appointed by the respondent, if the applicant agrees.



4. On being pointed out by Court, the respondent-State agreed to the effect that this Court may make the appointment of an independent person as a Sole 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 Act.

10. 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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11. A request letter along with copy of this order be sent to Mr. Justice L.N. Mittal.

(JAGMOHAN BANSAL)
JUDGE

27.08.2024
Mohit Kumar

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