



ARB-581-2024

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

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ARB-581-2024

Date of Decision: 18.12.2024

M/s R.K. Gandhi

...Applicant

Versus

**The Managing Director, Haryana State Industrial and Infrastructure
Development Corporation Limited and others** ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Anil Sharma, Advocate for the applicant

Mr. Raman Sharma, Additional 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. Pursuant to tender, the bid of the applicant was accepted by the respondent vide acceptance letter dated 15.04.2022 (Annexure A-1). A dispute erupted between the parties. There is an arbitration clause in Conditions of Contract. The allotment of work, arbitration clause in Conditions of Contract and service of notice under Section 21 of 1996 Act is not disputed.

3. Learned counsel for the respondents submits that he leaves it to this Court to make appointment of an independent Arbitrator. He further submits that as per arbitration clause, the applicant has to make security deposit of 10% of the claimed amount.

4. The applicant, on being confronted with the said clause, submits that security deposit would be made within eight weeks from today.

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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. Anil Kumar Singh Panwar, Retired District and Sessions Judge, residing at House No.508, Sector 6, Panchkula- 134109, Mobile No.9671122666 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 made hereinabove will not be binding on the learned Arbitrator.

11. A request letter along with copy of this order be sent to Mr. Anil Kumar Singh Panwar.

(JAGMOHAN BANSAL)
JUDGE

18.12.2024*Mohit Kumar*

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