

**ARB-588-2024****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****285****ARB-588-2024****Date of Decision: 10.12.2024****Promark Techsolutions Private Limited****...Applicant****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL****Present: - Mr. Arshit Goel, Advocate for the applicant****Mr. Ramandeep Singh,
Senior Deputy Advocate General, Punjab****Mr. Sarthak Gupta, Advocate for respondent No.2***********JAGMOHAN BANSAL, J. (Oral)**

1. Through instant application under Section 11 read with Section 12 of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicant is seeking appointment of an Arbitrator.

2. Pursuant to tender, the applicant was allotted work by respondent vide letter dated 07.01.2022 (Annexure P-2) by the respondent. 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.

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3. Mr. Sarthak Gupta, Advocate appeared and filed his Power of Attorney on behalf of respondent No.2. The same is taken on record. Registry is directed to tag the same at an appropriate place.

4. Learned State counsel as well as counsel for respondent No.2 submit that they leave 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 M.M.S. Bedi, Retired Judge of this Court, residing at House No.2152, Sector 44-C, Chandigarh- 160047, Mobile No.9780008126 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. Justice M.M.S. Bedi.

(JAGMOHAN BANSAL)
JUDGE

10.12.2024
Mohit Kumar

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