



ARB-610-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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ARB-610-2024 (O&M)

Date of Decision: 10.12.2024

M/s Avon Steel Industries Private Limited

...Applicant

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Gautam Dutt, Advocate for the applicant

Mr. Aman Dhir, Deputy Advocate General, Punjab

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. The parties entered into sale deed dated 13.02.1998 (Annexure P-2). A dispute erupted between the parties. There is an arbitration clause in the aforesaid sale deed. The execution of sale deed, arbitration clause in the sale deed and service of notice under Section 21 of 1996 Act is not disputed.

3. Learned State counsel submits that in view of communication (Annexure P-7) of the Collector, Land Acquisition, Department of Industries & Commerce, Punjab, an Arbitrator may be appointed. However, the respondent-State may be granted liberty to raise all issues including issue of limitation before the Arbitrator.

4. 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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5. Mr. Justice Gurbir Singh, Retired Judge of this Court, residing at House No.3412, Sector 24-D, Chandigarh, Mobile No.8558807002 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.

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

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

8. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

9. 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.

10. Pending application(s), if any, shall stand disposed of.

11. A request letter along with copy of this order be sent to Mr. Justice Gurbir Singh.

(JAGMOHAN BANSAL)
JUDGE

10.12.2024
Mohit Kumar

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