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

247

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Date of Decision: 04.09.2025

M/s Chandigarh Poultry Centre

...Applicant

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Ms. Raashee Nangru, Advocate and
Ms. Chanvi, Advocate for the applicant
Mr. Vishal Garg, Advocate for
Ms. Ruchita Garg, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11 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 awarded contract by the respondent vide allotment letter dated 06.03.2023. A dispute erupted between the parties. There is an arbitration clause in the tender document. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.
3. Learned counsel for the respondents submits that as per Agreement, Courts located at Lucknow has jurisdiction, thus, this Court has no jurisdiction to entertain application under Section under Section 11(6) of



1996 Act.

4. From the perusal of arbitration agreement, it is evident that parties have agreed that venue of the arbitration shall be from where the acceptance note was issued or such other place that the Arbitrator at his discretion may determine. In the agreement, seat has not been fixed. Clause 33 simply provides that any dispute during tendering or at any later time will be subject to jurisdiction of Courts located at Lucknow. The said clause does not exclude jurisdiction of this Court under Section 11(6) of 1996 Act.

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. Ms. Amandeep Kaur, Advocate, residing at #B17, AI, Anand Nagar, Kharar, District Mohali, Mobile No.9914338410 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. The parties at the first instance will appear before the Arbitrator on 18.09.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

8. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 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.



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11. A request letter along with copy of this order be sent to Ms. Amandeep Kaur.

(JAGMOHAN BANSAL)
JUDGE

04.09.2025
Mohit Kumar

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