



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

293

ARB-14-2025

Date of Decision: 05.02.2025

M/s Sar Agencies

...Applicant

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Tara Dutt, Advocate
for Mr. Akshay Chadha, Advocate for the applicant

Mr. Vinish Singla, Senior Panel Counsel
for Union of India-respondents

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 and work was allotted to it. A dispute erupted between the parties. There is an arbitration clause in the tender document. The allotment of work, arbitration clause in the tender document and service of demand notice is not disputed.

3. Short reply filed by the respondents is taken on record. Registry is directed to tag the same at an appropriate place.

4. Learned counsel for the respondents submits that claim of the applicant is barred by limitation, thus, this Court should not exercise its jurisdiction under Section 11(6) of 1996 Act.

5. The issue raised by the respondents needs to be decided by Arbitral Tribunal.



6. 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.

7. Mr. Suresh Kumar Nangru, Former Superintending Engineer, Haryana State Agricultural Marketing Board, residing at House No.154, Sector 35-A, Chandigarh, Mobile Nos.9416036745 & 9812004000 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.

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

9. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.

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

11. 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.

12. A request letter along with copy of this order be sent to Mr. Suresh Kumar Nangru.

(JAGMOHAN BANSAL)
JUDGE

05.02.2025
Mohit Kumar

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