



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

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ARB-24-2025

Date of decision: 20.01.2025

HARDEV SINGH**....APPLICANT****Vs.****STATE OF PUNJAB AND OTHERS****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. R.K. Girdhar, Advocate
for the applicant.

Mr. Aman Dhir, DAG, 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 independent Arbitrator to decide the dispute between the parties.

2. The applicant claims that he was allotted work vide work order dated 14.07.2023. He has completed the work. The work was allotted without advertisement. In the work order, it was mentioned that in case of dispute, matter would be referred to Superintending Engineer of the Irrigation Branch, as may be notified by the Government.

3. Mr. R.K. Girdhar, Advocate submits that applicant has approached Superintending Engineer but to no avail. This Court may make appointment of an Arbitrator to resolve the dispute between the parties.



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4. Mr. Aman Dhir, DAG, Punjab who on advance notice is present in Court, submits that there is no arbitration agreement and there is limited remedy to refer the dispute to Superintending Engineer. In case applicant finds himself dissatisfied with the opinion of Superintending Engineer, he may avail any other remedy permissible by law but cannot seek appointment of Arbitrator because there is no Arbitration Agreement/Clause.

5. Faced with this, Mr. R.K. Girdhar, Advocate submits that respondent may be directed to refer the dispute to Superintending Engineer so that his grievance may be redressed.

6. Mr. Aman Dhir, DAG, Punjab assures the Court that State Government would refer the dispute to the Superintending Engineer of the Irrigation Branch to resolve the dispute raised by the applicant.

7. Let the needful be done within 3 months from today.

8. Disposed of.

20.01.2025
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[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No