

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

262

ARB-31-2024 (O&M)

Date of Decision: 10.02.2025

M/s Lord Shiva Construction Company Private Limited ...Applicant

Versus

State of Haryana and others**...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Akshat Dalal, Advocate for the applicant

Ms. Dimple Jain, Deputy Advocate General, Haryana

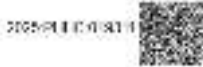
JAGMOHAN BANSAL, J. (Oral)

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 vide acceptance letter dated 24.10.2008 (Annexure P-2). A dispute erupted between the parties. There is an arbitration clause in the tender document. The allotment of work, arbitration clause in tender document and service of notice invoking arbitration clause is not disputed.

3. Learned State counsel expressed her inability to controvert existence of arbitration clause in tender document. She leaves it to this Court to make appointment of an independent 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.



5. Mr. Justice Harbans Lal, Former Judge of this Court, residing at H.No. 503, Lane No. 9/ N-1, I.A.S/ P.C.S Officers Colony, Mullanpur, New Chandigarh, Phase I, District S.A.S. Nagar (Mohali). Mobile No.7508011577 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 1996 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. A request letter along with copy of this order be sent to Mr. Justice Harbans Lal.
11. Pending application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)

JUDGE

10.02.2025

Mohit Kumar

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