



ARB-103-2025 (O&M)

-1-

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

234

ARB-103-2025 (O&M)

Date of Decision: 30.07.2025

M/s Harcharandass Gupta

...Applicant

Versus

Gurugram University

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Ajiteshwar Singh, Advocate for the applicant
(*through video conferencing*)

Mr. Sunil Panwar, Advocate for the respondent

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. The parties entered into arbitration agreement dated 13.09.2018 (Annexure P-3). A dispute erupted between the parties. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.
3. Mr. Sunil Panwar, Advocate appeared and filed his Power of Attorney on behalf of the respondent. The same is taken on record. Registry is directed to tag the same at an appropriate place.



4. Learned counsel for the respondent submits that as per agreement, Vice Chancellor of the University was competent to make appointment of Arbitrator.

5. On being confronted with judgment of Supreme Court in ***Central Organisation for Railway Electrification v. ECI SPIC SMO MCML (JV) A Joint Venture Co., 2024 SCC OnLine SC 3219*** read with Section 12(5) of 1996 Act, learned counsel for the respondent submits that he leaves it to this Court to make appointment of Arbitrator. If deemed appropriate, a Technical Expert be appointed.

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. Thakur Lal Sharma, Former Chief Engineer, Urban Local Bodies, Haryana, residing at D-9A/1, 4th Floor, Ardee City, Sector 52, Gurugram, Mobile Nos.9896666376 & 8295286000 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. The parties at the first instance will appear before the Arbitrator on 14.08.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

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.

**ARB-103-2025 (O&M)****-3-**

11. The Arbitrator, if any, appointed by the respondent shall not proceed further.

12. 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.

13. A request letter along with copy of this order be sent to Mr. Thakur Lal Sharma.

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

(JAGMOHAN BANSAL)
JUDGE

30.07.2025*Mohit Kumar*

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