

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

241+242 (5 Cases)

ARB-127-2025
Date of Decision: 27.08.2025

M/s Shree Jagdambaji Tubewells

...Applicant

Versus

State of Haryana and others

...Respondents

With

Sr. No.	Case No.	Applicant(s)	Respondent(s)
2.	ARB-129-2025	M/s Shree Jagdambaji Tubewells	State of Haryana and others
3.	ARB-130-2025	M/s Shree Jagdambaji Tubewells	State of Haryana and others
4.	ARB-132-2025	M/s Shree Jagdambaji Tubewells	State of Haryana and others
5.	ARB-135-2025	M/s Shree Jagdambaji Tubewells	State of Haryana and others

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Lajpat Sharma, Advocate for the applicant
(in all the applications)

Mr. Suneel Ranga, Deputy Advocate General, Haryana

JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in the captioned applications, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from ARB-127-2025.
2. 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.



3. Pursuant to tender, the applicant was allotted work by the respondent vide letter dated 16.03.2020. Thereafter, an agreement was executed. A dispute erupted between the parties. There is an arbitration clause in the Conditions of Contract. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

4. Learned State counsel submits that there is no dispute between the parties. The applicant is unnecessarily dragging the respondent into litigation. The entire payment has already been paid. The claim is barred by limitation.

5. The issues raised by the respondent need to be adjudicated by Arbitral Tribunal. There is no dispute with respect to allotment letter/arbitration agreement and service of notice.

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. Justice Rakesh Kumar Garg, Former Judge of this Court, residing at House No.417, Sector 35-A, Chandigarh, Mobile No.9780008133 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 10.09.2025 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.

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. Justice Rakesh Kumar Garg.

(JAGMOHAN BANSAL)
JUDGE

27.08.2025

Mohit Kumar

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