



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

305

ARB-167-2025 (O&M)
Date of decision: 01.05.2025

M/S SANJEEV KUMAR GOYAL CONTRACTORAPPLICANT

Vs.

PUBLIC WORKS DEPARTMENT (B & R) PUNJAB ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Anand Chhibbar, Senior Advocate with
Mr. Lakhwinder Singh Sandhu,
Mr. Utkarsh Khatana, Advocate and
Mr. Lalit Thakur, Advocate
for the applicant.

Mr. Chanchal Kumar Singla, Addl. A.G., Punjab.

JAGMOHAN BANSAL, J (ORAL)

1. Through instant application under Section 11 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 21.12.2015. A dispute erupted between the parties. The applicant served notice upon respondent seeking resolution of dispute through arbitral tribunal but to no avail.
3. Mr. Chanchal Kumar Singla, Addl. A.G., Punjab submits that respondent appointed Mr. B.B. Goyal, Superintending Engineer as sole Arbitrator to resolve the dispute, however, on account of his transfer, the matter could not be resolved.
4. Mr. Anand Chhibbar, Senior Advocate submits that in view of 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, the respondent cannot make appointment of an Arbitrator from the panel curated by it.



5. 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.
6. Mr. Sukhdev Singh, Retired Additional District & Sessions Judge, residing at House No. 2433, Sector-79, Mohali, Mobile No. 9815294814 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.
7. The parties at the first instance will appear before the Arbitrator on 16.05.2025 at 10.00 A.M. and thereafter as directed by learned Arbitrator.
8. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.
9. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.
10. 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.
11. A request letter along with copy of this order be sent to Mr. Sukhdev Singh.
12. Pending miscellaneous application(s), if any, shall also stand disposed of.

01.05.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

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