



ARB-177-2025

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

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Date of Decision: 04.08.2025

M/s A.S. Construction

...Applicant

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Ms. Deepali Puri, Advocate for the applicant

Mr. Vinish Singla, Advocate for the respondent

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. Pursuant to tender, the applicant was allotted work by the respondent vide allotment letter dated 18.12.2015 (Annexure P-3). Thereafter, a contract was executed between the parties. A dispute erupted between the parties. There is an arbitration clause in General Conditions of Contract. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

3. Learned counsel for the respondent submits that claim is barred by limitation because notice was served upon the respondent on 08.02.2022 and application before this Court was filed on 11.03.2025. Limitation Act is



applicable, and the applicant was bound to file the application within three years from the date of notice.

4. *Per contra*, learned counsel for the applicant submits that notice was dispatched on 17.02.2022 and there is 30 days waiting period, thus, application before this Court was filed within limitation.

5. I have heard the arguments of learned counsel for both sides and perused the record with their able assistance.

6. The claim of the applicant before this Court does not seem to be hopelessly barred by limitation. It seems to be a disputed question which needs to be answered by the Arbitral Tribunal.

7. 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.

8. Er. Vaneet Chawla, Secretary (Retd.) Haryana State Warehousing Corporation, Panchkula residing at House No. 1688, Sector 4, Panchkula, Mobile No.9872045632 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.

9. The parties at the first instance will appear before the Arbitrator on 19.08.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

10. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.

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11. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

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 Er. Vaneet Chawla.

(JAGMOHAN BANSAL)
JUDGE

04.08.2025*Mohit Kumar*

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