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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-223-2025(O&M)

Date of Decision: 25.09.2025

Tung Builders Private Limited

....Petitioner(s)

Versus

State of Punjab and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ankur Gupta, Advocate, for the petitioner.

Mr. Somesh Arora, Addl. A.G, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') seeking appointment of an independent Arbitrator to adjudicate the disputes and differences which have arisen between the parties pertaining to an agreement entered into between the parties.

2. Learned counsel appearing on behalf of the petitioner submitted that the matter for restructuring is pending before the NCLT and he has been authorized in this regard to appear on behalf of the petitioner.

3. Mr. Somesh Arora, learned Additional Advocate General, Punjab has submitted that he has sought specific instructions from Sh. Himanshu Nahar, Sub Divisional Engineer, PWD (B&R), Nawanshahr to submit that the State of Punjab has no objection in case any independent



and impartial Sole Arbitrator is appointed to adjudicate the dispute between the parties since there is a valid arbitration clause in the agreement between the parties.

4. In view of the facts and circumstances of the present case, the present petition is allowed. Sh. Kulwant Singh Rai (Boparai), Advocate, resident of House No. 1139, Sector 71, Mohali, Mobile No. 9814120718, E-mail-Id: kulwant0096@gmail.com, is nominated as the Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory provisions including Section 12 of the Act.

5. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed and communicated by the learned Arbitrator at his convenience.

6. Fee shall be paid to the learned Arbitrator in accordance with the Fourth Schedule of the Arbitration Act, as amended.

7. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.

8. A request letter alongwith a copy of the order be sent to Sh. Kulwant Singh Rai (Boparai), Advocate.

25.09.2025

(JASGURPREET SINGH PURI)

rakesh

JUDGE

Whether speaking

:

Yes/No

Whether reportable

:

Yes/No