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

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Date of Decision: 26.08.2025

Aparna Construction Company

...Applicant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Shivam Sachdeva, Advocate for the applicant
Mr. Suneel Ranga, Deputy Advocate General, Haryana
Ms. Tanu Priya Singh, Advocate for respondent No.3

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 letter dated 14.03.2016. 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.
3. Reply filed on behalf of respondent Nos.1, 2 and 4 is taken on record. Registry is directed to tag the same at an appropriate place.



4. Learned State counsel submits that claim of the applicant is time barred. The work was completed on 17.08.2019 and thereafter, notices dated 17.08.2022 and 07.06.2023 were served upon the respondents. These notices do not comply with requirement of Section 21 of 1996 Act.

5. The question of limitation raised by the respondent is a disputed question because claim does not *prima facie* seems to be a deadwood. The matter needs to be adjudicated by Arbitral Tribunal.

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. Ms. Justice Jaishree Thakur, Former Judge of this Court, residing at House No. 36, Sector 8-A, Chandigarh, Mobile No.9814125236 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 09.09.2025 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.



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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 Ms. Justice Jaishree Thakur.

(JAGMOHAN BANSAL)
JUDGE

26.08.2025
Mohit Kumar

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