



ARB-240-2025

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

240

ARB-240-2025

Date of Decision: 24.07.2025

M/S DEE ESS Construction Company

...Applicant

Versus

Union of India and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Manuj Nagrath, Advocate for the applicant

Mr. Vinish Singla, Senior Panel Counsel  
for Union of India-respondents

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**JAGMOHAN BANSAL, J.** (Oral)

1. 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.

2. Pursuant to tender, the bid of the applicant was accepted vide letter dated 19.10.2022 by the respondent. Thereafter, work was allotted by the respondent to the applicant and work order dated 10.12.2022 (Annexure P-3) was issued. A dispute erupted between the parties. There is an arbitration clause in the 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 parties are *ad idem* that Mr. Raj Kumar Sarkar, CE, Railways be appointed as Arbitrator.

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4. In the wake of statement of both sides, Mr. Raj Kumar Sarkar, CE, Railways, residing at Flat No.203, Tower-5, Common Wealth Games Village, Delhi- 110092, Mobile No.9910113486 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.

5. The parties at the first instance will appear before the Arbitrator on 01.08.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

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

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

8. 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.

9. A request letter along with copy of this order be sent to Mr. Raj Kumar Sarkar.

**(JAGMOHAN BANSAL)**  
**JUDGE**

**24.07.2025***Mohit Kumar*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |