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

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Date of Decision: 07.08.2025

**Bharti Waters Private Limited****...Applicant****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Shivam Sachdeva, Advocate  
for Mr. Jagdeep Singh Rana, Advocate for the applicant  
Mr. Aman Dhir, Deputy Advocate General, Punjab

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**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 applicant was allotted work by the respondent vide letter dated 31.08.2006. Thereafter, an agreement was executed. A dispute erupted between the parties. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.
3. Reply filed on behalf of the respondent-State is taken on record. Registry is directed to tag the same at an appropriate place.
4. Learned State counsel expressed his inability to controvert the fact that as per 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*** read with Section 12(5) of 1996 Act, the respondent cannot make unilateral appointment.



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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. Khem Karan Goyal, Additional District & Sessions Judge (Retd.), residing at House No.382, IAS-PCS Society, Mullanpur, Garibdass, District S.A.S. Nagar, Mohali, Mobile No.8558873011 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 21.08.2025 at 10:00 AM 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. Khem Karan Goyal.

(JAGMOHAN BANSAL)  
JUDGE

07.08.2025  
Mohit Kumar

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