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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-311-2025 (O&M)
Date of Decision: 02.12.2025

RAJINDER INFRASTRUCTURE PVT LTD

....Appellant

Versus

PANIPAT JALANDHAR NH1 TOLLWAY PRIVATE LIMITED

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Meenal Garg, Advocate, for the petitioner.

Mr. Rajat Khanna, Advocate for the respondent.

JASGURPREET SINGH PURI, J. (Oral)

CM-24135-CII-2025

The present application has been filed for placing on record
Annexures P-10 to P-14.

For the reasons recorded in the application, the same is allowed.
Annexures P-10 to P-14 are taken on record, subject to all just exceptions.

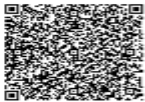
Main case

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') praying for appointment of an independent Arbitrator to adjudicate the disputes and differences between the parties.

2. Learned counsel appearing on behalf of the petitioner submitted that the present petition has been filed under Section 11 of the Act seeking



appointment of a Sole Arbitrator in terms of the contract between the parties. He submitted that the petitioner was a vendee and the respondent was a vendor and the petitioner was assigned vendor code No. 102059, which was only pertaining to the present petitioner and the contracts were in the nature of service orders, which have been attached as Annexures P-10 to P-13. He submitted that one set of two service orders is dated 31.01.2020 and the second set of two service orders is dated 24.11.2020. He submitted that the work which was to be undertaken by the petitioner on the basis of the material to be used is similar in the all four service orders, which were issued for the purpose of construction work on Panipat Jalandhar Highway. He further submitted that description in all service orders is almost similar in nature and the total claim of the aforesaid service orders against the respondent is approximately Rs.1 crore. He submitted that since the service orders are continuous in nature and interlinked with each other, this Court may appoint a Sole Arbitrator for all service orders for the sake of convenience. He submitted that each service order contains an arbitration clause at paragraph No.10 and the petitioner has invoked the aforesaid arbitration clause by issuing a notice to the respondent vide Annexure P-7, which incorporated all the service orders but no response was received from the respondent and therefore, the present application has been filed under Section 11(6) of the Act for appointment of a Sole Arbitrator in all the aforesaid service orders. He submitted that the petitioner earlier filed a petition before the National Company Law Tribunal (NCLT) which was dismissed being not maintainable and the same has not been decided on merits, therefore, there is no bar for appointment of an Arbitrator.

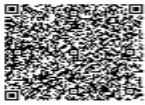


3. On the other hand, learned counsel appearing on behalf of the respondent submitted that there is no dispute with regard to the existence of an arbitration clause in all the service orders and there is no dispute with regard to invocation of the arbitration clause by way of the aforesaid notice (Annexure P-7). He, however, submitted that all the service orders are separate and contain different terms of agreement, although each service order contains an arbitration clause but the service orders are different and issued on different dates. He submitted that the petitioner has also filed a petition before the NCLT, which was dismissed being not maintainable and there was no adjudication on merits.

4. I have heard the learned counsels for the parties.

5. The existence of the arbitration clause is not disputed by the learned counsel for the respondent. The invocation of the arbitration clause is also not disputed. A perusal of all the four service orders would show that two services orders are dated 31.01.2020 and remaining two are dated 24.11.2020. The nature of work specified in the aforesaid service orders appears to be similar in nature and pertains to execution of works on different stretches of the Panipat Jalandhar Highway. Therefore, this Court deems it fit and proper to appoint a single Arbitrator to constitute four separate Arbitral Tribunals for each service order (Annexure P-2). Details of the aforesaid service orders are tabulated hereinunder:

Sr.No.	Order No.	Dated
1.	1100001560	31.01.2020
2.	1100001563	31.01.2020
3.	1100001903	24.11.2020
4.	1100001904	24.11.2020



However, it is made clear that the aforesaid learned Sole Arbitrator appointed shall remain the same in all the four arbitration proceedings.

6. Consequently, the present petition is allowed. Sh.Vikas Chatrath, Senior Advocate, resident of H.No. 174, Sector 21-A, Chandigarh, Mobile No.9872503300, Email ID: vchatrath@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.

7. 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.

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

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

10. A request letter alongwith a copy of the order be sent to Sh.Vikas Chatrath, Senior Advocate.

02.12.2025

rakesh

(JASGURPREET SINGH PURI)

JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No