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

**ARB-367-2025 (O&M)
Date of decision: 01.08.2025**

M/S LABOTEK

...Petitioner(s)

VERSUS

**EXECUTIVE ENGINEER, IIT ROPAR, CENTRAL PUBLIC WORKS
DEPT AND ANOTHER**

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Ms. Rashi Jain, Advocate and
Mr. Mihir Garg, Advocate for the petitioner.

Ms. Shalini Attri, Advocate for the respondents.

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') praying for 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 regarding construction of different building under Phase-I for IIT Ropar (Pb.) including external development. SH: SITC of light fixtures and fans, fire alarm systems, UPS, BMS, Solar PV Plant including comprehensive maintenance of 1+4 years and false ceiling.

2. Reply filed on behalf of the respondents is taken on record.

3. Learned counsel for the petitioner submitted that there is a valid agreement between the parties for the aforesaid work and there also exists a



valid arbitration clause vide Clause 25 and the mechanism so stated in the arbitration clause has already been resorted to and as per the aforesaid Clause, the Sole Arbitrator to be appointed shall be an employee of the respondents, whereas the aforesaid is not in accordance with law particularly in view of Section 12 of the Act. She further submitted that in this way, the Sole Arbitrator as so stated in the arbitration agreement cannot be appointed and a notice was also issued by the petitioner to the respondents in this regard and therefore, an independent Arbitrator may be appointed by this Court.

4. Ms. Shalini Attri, learned counsel for the respondents submitted on instructions from Gopal Singh, Executive Engineer and SM(E), IIT Project Ropar, CPWD, Ropar, who is present in the Court, that considering the aforesaid facts and circumstances, the respondents have no objection in case any independent Arbitrator is appointed by this Court.

5. In view of the above, the present petition is allowed. Hon'ble Mr. Justice (Retd.) Shekher Dhawan, a former Judge of this Court, residence of House No.2109, Sector 21, Chandigarh, Mobile No.8558809941, is nominated as the Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory provisions.

6. 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.

7. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Arbitration and Conciliation Act, 1996.



8. A request letter alongwith a copy of the order be sent to Hon’ble Mr. Justice (Retd.) Shekher Dhawan, a former Judge of this Court.

01.08.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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