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

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Date of Decision: 08.09.2025

Bhambra Construction Company Private Limited**...Applicant**

Versus

State of Punjab and others**...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Jagdeep Singh Rana, Advocate and
Mr. Arvind Bangar, Advocate for the applicant
Mr. Aman Dhir, Deputy Advocate General, Punjab

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 bid of the applicant was accepted by the respondent vide letter dated 02.06.2023. A dispute erupted between the parties. There is an arbitration clause in General Conditions of Contract. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

3. Learned State counsel submits that as per arbitration agreement, the applicant was supposed to file appeal against rejection order within 60



days whereas it filed appeal after 64 days, thus, its appeal was rejected by Appellate Authority.

4. The Appellate Authority created by agreement has rejected appeal of the applicant on the ground of small delay. On account of rejection of appeal on the ground of delay, the applicant cannot be deprived from his right to avail remedy of resolution of dispute through Arbitral Tribunal.

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. Sukhdev Singh, Retired Additional District & Sessions Judge, residing at House No. 2433, Sector-79, Mohali, Mobile No.9815294814 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 23.09.2025 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.



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11. A request letter along with copy of this order be sent to Mr. Sukhdev Singh.

(JAGMOHAN BANSAL)
JUDGE

08.09.2025
Mohit Kumar

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