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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-400-2023(O&M)
Date of Decision:11.09.2025

Rajinder Infrastructure Pvt. Ltd.

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr.A.D.S. Sukhija, Advocate, for the petitioner.

Mr. Somesh Arora, Addl. A.G, Punjab.

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') for appointment of an Arbitrator to adjudicate the disputes between the parties pertaining to the contract for widening of Morinda-Chunni Road ODR-13 length 16.670 KM in District Fatehgarh Sahib & Ropar under CRF Scheme in District Fatehgarh Sahib.

2. Learned counsel appearing on behalf of the petitioner submitted that it is a case where there was a contract between the parties and the matter was referred to the Sole Arbitrator namely, Sh.Manmohan Singh, who was the then Member of the Punjab Infrastructure Regulatory Authority and the said appointment was made by the department to which both the parties participated in the arbitration proceedings. The arbitration proceedings commenced and final arguments were also concluded and thereafter the orders were reserved. He submitted that in the meantime, the aforesaid Arbitrator retired and



therefore, further arbitration proceedings could not progress. He submitted that in an exactly identical case where the same Arbitrator was appointed and he did not continue arbitration proceedings since he had retired, a fresh application was filed under Section 11(6) of the Act in which the State had stated that they had no objection for continuation of the aforesaid Arbitrator Sh. Manmohan Singh being appointed as Arbitrator so that the arbitration proceedings could be concluded and the facts and circumstances of the present case are exactly identical to the aforesaid case i.e ARB-394-2023, decided on 12.11.2024. He submitted that the award was reserved by the aforesaid Arbitrator but because of his retirement, he could not pronounce the same and considering the aforesaid facts and circumstances and the orders being passed by a Co-ordinate Bench of this Court in identical circumstances, the aforesaid Arbitrator may be again appointed so that he can pronounce the award.

3. On the other hand, Mr. Somesh Arora, learned Additional Advocate General, Punjab has submitted that he has sought specific instructions from Sh. Paramjit Singh, SDO, who is present in the Court, to state that the present case is exactly identical with the aforesaid ARB-394-2023 decided by a Co-ordinate Bench of this Court and in this case as well, in case the aforesaid Arbitrator Sh. Manmohan Singh, who has now retired, is appointed as an Arbitrator, the arbitration proceedings can be concluded and the State has no objection with regard to the same in the larger interest of justice.

4. In view of the facts and circumstances of the present case and in view of the submissions made by both the learned counsels for the parties, the present petition is allowed. Sh. Manmohan Singh, Chief Engineer-cum-Engineer in Chief (Retd.), former Member of Punjab Infrastructure Regulatory Authority (PIRA), resident of #74, Ward No. 07, Gurudwara



Road, Kharar, District Mohali Punjab - 140301, Mobile No. 9876700454, is nominated as an Arbitrator to adjudicate the dispute between the parties, subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to adjudicate the dispute.

5. The fee of the Arbitrator shall be fixed with the joint agreement of both the parties.

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

8. A copy of this order be sent to the nominated Arbitrator.

11.09.2025

(JASGURPREET SINGH PURI)

rakesh

JUDGE

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