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

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Date of Decision: 25.08.2025

Ram Narain Jain

...Applicant

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Sanjeev Kumar, Advocate for the applicant

Mr. Ashok Kumar Khubbar,
Additional Advocate General, Haryana
(assisted by Gautam Kumar, Executive Engineer,
Public Health Engineering Division No.2, Sonipat)

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. Learned counsel for the applicant submits that respondent has wrongly appointed its employee as Arbitrator. The appointment was in violation of Section 12(5) of 1996 Act as well as judgment of Hon'ble Supreme Court in ***Central Organisation for Railway Electrification v. ECI SPIC SMO MCML (JV) A Joint Venture Co., 2024 SCC OnLine SC 3219.***

The mandate of Arbitrator has expired.



3. Faced with this learned State counsel submits that this Court may make appointment of an independent person, however, he may be a Technocrat.

4. 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.

5. Er. Vipin Kumar Bansal, Retired Chief Engineer, PWD (B&R), Punjab, residing at #23-24, Maharaja Yadavindra Enclave, Patiala, Punjab 147005, Mobile No.9814866869 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.

6. The parties at the first instance will appear before the Arbitrator on 08.09.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator. The learned Arbitrator would proceed from the stage earlier appointed Arbitrator has withdrawn himself from the proceedings.

7. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.

8. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

9. 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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10. A request letter along with copy of this order be sent to Er. Vipin Kumar Bansal.

(JAGMOHAN BANSAL)
JUDGE

25.08.2025
Mohit Kumar

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