



ARB-441-2024

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

287

ARB-441-2024

Date of Decision: 28.01.2025

Ajay Sharma

...Applicant

Versus

Regional Centre for Biotechnology

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Himanshu Thakur, Advocate
for Mr. Manan Kheterpal, Advocate for the applicant
Mr. Ajitpal Singh Sabharwal, Advocate for the respondent

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11(6) 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 vide letter dated 14.10.2020 (Annexure P-3). A dispute erupted between the parties. There is an arbitration clause in General Conditions of Contract. The allotment of work, arbitration clause in General Conditions of Contract and service of notice under Section 21 of 1996 Act is not disputed.

3. Reply filed by the respondent is taken on record. Registry is directed to tag the same at an appropriate place.

4. Learned counsel for the respondent expressed his inability to controvert existence of arbitration clause in General Conditions of Contract. He leaves it to this Court to make appointment of an independent Arbitrator.

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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. Rajesh Garg, Retired Additional District & Sessions Judge, residing at House No.626, Sector 16-A, Faridabad, Mobile No.8558873008 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. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.

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.

11. A request letter along with copy of this order be sent to Mr. Rajesh Garg.

(JAGMOHAN BANSAL)
JUDGE

28.01.2025
Mohit Kumar

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