

**ARB-461-2025****-1-**

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

255**ARB-461-2025****Date of Decision: 25.09.2025****M/s Rajeshwar Singh Engineers & Builders****...Applicant**

Versus

The Chairman, Punjab State Power Corporation Limited and another**...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Dheeraj Mahajan, Advocate and
Mr. Nimish Gautam, Advocate for the applicant
Mr. Pradeep Sharma, Advocate for the respondent

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 applicant was declared L-2 by the respondent. However, respondent vide letter dated 12.09.2024 allotted work to the applicant. A dispute erupted between the parties. There is an arbitration clause in General Terms and Conditions. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

3. Mr. Pradeep Sharma, Advocate appeared and filed his Memorandum of Appearance on behalf of the respondent. The same is taken on record. Registry is directed to tag the same at an appropriate place.



4. Learned counsel for the respondent submits that the applicant was issued allotment letter, however, applicant did not sign the agreement, thus, instant application is not maintainable.

5. Learned counsel for the applicant submits that applicant was L-2 and after conclusion of tender process, it requested for refund of earnest money. The respondent issued allotment letter in applicant's favour instead of issuing it in favour of L-1. The respondent has forfeited its earnest money in terms of the contract. The applicant, during the pendency of instant application, has issued notice for blacklisting.

6. 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.

7. Ms. Aakansha Sawhney, Advocate, residing at House No.1728, Sector 33-D, Chandigarh, Mobile No. 9888177209, E-mail aakanksha.sawhney@gmail.com 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.

8. The parties at the first instance will appear before the Arbitrator on 11.10.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

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

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

11. 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.

12. A request letter along with copy of this order be sent to Ms. Aakansha Sawhney, Advocate.

(JAGMOHAN BANSAL)
JUDGE

25.09.2025
Mohit Kumar

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