



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

279

ARB-476-2024

Date of decision: 17.03.2025

M/S BHAGWAT ENGINEERS AND CONTRACTORSAPPLICANT**Vs.****DEPARTMENT OF LOCAL GOVERNMENT AND ANOTHER****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Prashant Vasisht, Advocate
for the applicant.

Mr. Ramandeep Singh, Senior DAG, Punjab
for respondent No. 1.

Ms. Gurneet Sagoo, Advocate
for respondent No. 2.

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. Reply filed on behalf of respondent No. 2 is taken on record. Registry is directed to tag the same at an appropriate place.

3. The parties entered into arbitration agreement dated 24.12.2020. A dispute erupted between the parties. The applicant served notice upon respondent seeking resolution of dispute through arbitral tribunal but to no avail.

4. Ms. Gurneet Sagoo, Advocate, counsel for respondent No. 2 could not dispute execution of arbitration agreement, service of notice and dispute between the parties., however, submits that it is applicant who is at fault and appointment of Arbitrator would cause unnecessary pecuniary loss to the respondent.



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. Justice M.M. Kumar, former Chief Justice of J&K High Court, residing at House No. 79, Sector 16-A, Chandigarh, Mobile No. 9888824752 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/her 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. Justice M.M. Kumar.

17.03.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

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