

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

249 (3 cases)

ARB-471-2025 (O&M)
Date of Decision: 29.09.2025

Gabbar Singh Suhag

...Applicant

Versus

State of Haryana and others

...Respondents

With

Sr. No.	Case No.	Applicant	Respondents
2.	ARB-531-2025 (O&M)	Gabbar Singh Suhag	State of Haryana and others
3.	ARB-533-2025 (O&M)	Gabbar Singh Suhag	State of Haryana and others

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Anil Kumar Sharma, Advocate for the applicant
Mr. Suneel Ranga, Deputy Advocate General, Haryana
(assisted by Mr. Anil Kumar, SDE and
Mr. Vinod Kumar, Assistant,
Public Health Engineering Division, Kosli)

JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in the captioned applications, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from *ARB-471-2025*.
2. 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.
3. Pursuant to tender, the applicant was allotted work by the respondent vide allotment letter dated 10.05.2019. Thereafter, a contract



agreement was executed between the parties. A dispute erupted between the parties. There is an arbitration clause in the tender document. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

4. Learned State counsel submits that contract was completed in 2020 and the entire payment stands made, thus, claim is barred by limitation. The applicant is attempting to drag the respondent into unwanted litigation.

5. Learned counsel for the applicant submits that work was completed in 2021 and last payment was made in 2024. The applicant has to maintain water tanks for next five years, thus, there is no question of claim being time barred.

6. The issue of limitation raised by the respondent needs to be adjudicated by Arbitral Tribunal.

7. Learned State counsel submits that an Arbitrator, who is stationed in Gurugram, may be appointed

8. Learned counsel for the applicant does not oppose afore-stated prayer of the respondent-State.

9. 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.

10. Mr. Krishan Kaushik, District and Sessions Judge (retired), residing at House No. 1118, Sector 46, Gurugram, Mobile No.9599499060 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.

11. The parties at the first instance will appear before the Arbitrator on 15.10.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

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

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

14. 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.

15. A request letter along with copy of this order be sent to Mr. Krishan Kaushik.

16. Pending application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

29.09.2025
Mohit Kumar

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