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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-508-2025(O&M)
Date of Decision: 03.12.2025

M/S BRIGHTWAY CONTRACTORS & DEVELOPERS GOVT.
CONTRACTORS & ENGINEERS

....Petitioner(s)

Versus

THE EXECUTIVE ENGINEER MUNICIPAL COUNCIL

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr.Dheeraj Mahajan, Advocate,
for the petitioner.

Mr. Ankit Kumar, Advocate,
for the respondent.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') praying for appointment of an independent Arbitrator to adjudicate the disputes and differences which have arisen between the parties pertaining to an agreement entered into between the parties.

2. Learned counsel appearing on behalf of the petitioner submitted that there was an agreement (Annexure P-3) between the parties wherein there exists a valid arbitration clause i.e. Clause 24. He submitted that a dispute arose between the parties with regard to the aforesaid agreement and thereafter, a notice under Section 21 of the Act was issued to the respondent vide Annexure P-5 dated 02.06.2025 invoking the aforesaid



clause but the same was not responded to by the respondent and therefore, the present application has been filed under Section 11 of the Act seeking appointment of a Sole Arbitrator.

3. On the other hand, learned counsel for the respondent submitted that he has sought specific instructions from Ms. Kiran Mahajan, Executive Officer, Municipal Council, Fatehgarh Churrian to state that the respondent has no objection in case a Sole Arbitrator is appointed by this Court for adjudication of the dispute since there exists a valid arbitration clause.

4. In view of the aforesaid facts and circumstances, the present petition is allowed. Sh. D.K.Singal, Advocate, resident of Kothi No. 114, Sector 9, Panchkula, Mobile No.9417206670, Email ID: dks@dksingal.com, is nominated as the Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory provisions including Section 12 of the Act.

5. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed and communicated by the learned Arbitrator at his convenience.

6. Fee shall be paid to the learned Arbitrator in accordance with the Fourth Schedule of the Arbitration Act, as amended.

7. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.

8. A request letter alongwith a copy of the order be sent to Sh. D.K.Singal, Advocate.

03.12.2025

(JASGURPREET SINGH PURI)

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JUDGE

Whether speaking : Yes/No
Whether reportable : Yes/No