



ARB-515-2024

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

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ARB-515-2024

Date of Decision: 21.05.2025

M/s V.S. Saini Contractor

...Applicant

Versus

Punjab State Industrial Export Corporation Limited and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Namish Gautam, Advocate
for Mr. Dhjeeraj Mahajan, for the applicant
Mr. Vikas Chatrath, Advocate and
Ms. Preet Agroa, Advocate for the respondents

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 applicant was allotted work by the respondent vide allotment letter dated 13.04.2023 (Annexure P-1). A dispute erupted between the parties. There in an arbitration clause in the General Conditions of Contract. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.
3. Learned counsel for the respondents expressed his inability to controvert existence of arbitration clause in General Conditions of Contract and service of notice.



4. By order dated 05.02.2025 of this Court, on the statement of learned counsel for the parties, matter was referred to Mediation and Conciliation Centre of this Court for exploring possibility of amicable settlement. As per communication dated 28.02.2025 received from Mediation and Conciliation Centre, mediation proceedings could not be fructified.

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. Jaspal Verma, Additional District and Sessions Judge (Retd.), residing at House No.179, Hardyal Nagar, Garha Road, Jalandhar City, Punjab- 144022, Mobile No.8558855179 & 7888823330 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. The parties at the first instance will appear before the Arbitrator on 05.06.2025 at 10.00 A.M. and thereafter, as directed by learned Arbitrator.

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.

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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. Jaspal Verma.

(JAGMOHAN BANSAL)
JUDGE

21.05.2025
Mohit Kumar

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