



ARB-557-2025

-1-

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

105

ARB-557-2025

Date of Decision: 15.09.2025

M/s Sharma Contractor Private Limited

...Applicant

Versus

The Executive Engineer and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Dheeraj Mahajan, Advocate for the applicant

Mr. Aman Dhir, Deputy Advocate General, Punjab

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 allotted work by the respondent vide letter dated 23.12.2016. A dispute erupted between the parties. There is an arbitration clause in Conditions of Contract. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

3. Notice of motion.

4. Mr. Aman Dhir, Deputy Advocate General, Punjab, who on advance notice is present in Court, accepts notice on behalf of the respondent-State and waives service.



5. With the consent of both sides, the matter is taken up for final adjudication.

6. Learned State counsel expressed his inability to controvert existence of arbitration clause in Conditions of Contract and service of notice.

7. 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.

8. Mr. Justice S.S. Saron, Former Judge of this Court, residing at House No.9, Sector 9, Chandigarh, Mobile No.9780008109 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.

9. The parties at the first instance will appear before the Arbitrator on 29.09.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

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

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

12. 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.



ARB-557-2025

-3-

13. A request letter along with copy of this order be sent to Mr. Justice S.S. Saron.

(JAGMOHAN BANSAL)
JUDGE

15.09.2025
Mohit Kumar

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