



ARB-525-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

244

ARB-525-2024

Date of Decision: 05.08.2025

M/s Jain Brothers

...Applicant

Versus

M/s Punjab State Transmission Corporation Limited

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Anchit Sharma, Advocate for the applicant

Mr. Vikas Mohan Gupta, Advocate for the respondent

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. The applicant was allotted work by the respondent vide work order dated 30.08.2011. A dispute erupted between the parties. The respondent vide communication dated 11.06.2024 appointed its ex-employee as Sole Arbitrator.

3. Learned counsel for the respondent submits that it is factually correct that respondent by communication dated 11.06.2024 has appointed its ex-employee as Sole Arbitrator. He expressed his inability to controvert the fact that as per judgment of Supreme Court in ***Central Organisation for Railway Electrification v. ECI SPIC SMO MCML (JV) A Joint Venture Co., 2024 SCC OnLine SC 3219*** read with Section 12(5) of 1996 Act, the



respondent cannot make unilateral appointment. He further submits that as per terms and conditions of Arbitration Agreement the applicant may be directed to comply with condition of pre-deposit of 10% of claimed amount.

4. Faced with this learned counsel for the applicant submits that petitioner would comply with condition of pre-deposit within two months from today.

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 Fateh Deep Singh, Former Judge of this Court, residing at House No. 54 (C), Sector 11, Phase A, Eco City II, New Chandigarh, Mobile No.8558809909 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 19.08.2025 at 10:00 AM 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.



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 Fateh Deep Singh.

(JAGMOHAN BANSAL)
JUDGE

05.08.2025
Mohit Kumar

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