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

ARB-570-2025

Date of decision: 12.12.2025

M/S S. S. CONTRACTORS AND ENGINEERS**...Applicant(s)****VERSUS****UNION OF INDIA AND OTHERS****...Respondent(s)****CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

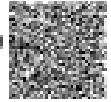
Present:- Mr. Daman Dhir, Advocate and
Ms. Pushpanjali Bisht, Advocate
for the applicant.

Mr. Vibhor Bansal, Senior Panel Counsel
for the respondents-UOI.

JASGURPREET SINGH PURI, J. (Oral)

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

2. Learned counsel for the applicant submitted that there is an arbitration clause contained in Clause 70 of Annexure A-1 and the applicant has invoked the arbitration clause by issuing notices vide Annexure A-8 and Annexure A-9, but no response was received from the respondents and therefore, the present application has been filed seeking appointment of an independent Arbitrator.

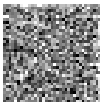


3. On the other hand, learned Senior Panel Counsel appearing on behalf of the respondents-UOI submitted that there is no dispute with regard to the existence of the aforesaid arbitration clause and invocation of the said arbitration clause by way of issuance of notices vide Annexure A-8 and Annexure A-9 and therefore, the respondents have no objection in case a Sole Arbitrator is appointed by this Court. He further submitted that there is a dispute regarding the existence of the present applicant-firm.

4. In view of the aforesaid facts and circumstances, all the ingredients for appointment of a Sole Arbitrator under Section 11 of the Act stand satisfied. As to whether the applicant-firm is still continuing and is in existence or not is the subject matter to be considered by the learned Arbitrator at an appropriate stage, regarding which the respondents can always raise any objection/preliminary objection in accordance with law before the learned Arbitrator.

5. Consequently, the present application is allowed. Mr. Justice Rajiv Narain Raina, a former Judge of this Court, resident of House No. E/8-03(GF), DLF The Valley (Near Amravati Enclave), Pinjore-Kalka Urban Complex, Sector-3, Panchkula-134107, Mobile No.-7837049207, E-mail ID-rajivraina58@gmail.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.

6. 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.



7. Fee shall be paid to the learned Arbitrator in accordance with the Fourth Schedule of the Arbitration Act, as amended.
8. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.
9. A request letter alongwith a copy of the order be sent to Mr. Justice Rajiv Narain Raina, a former Judge of this Court.

12.12.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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