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

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Date of Decision: 23.09.2025

Rattan Lal Contractor (now deceased) through his Legal Representative**...Applicant****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Ms. Monika Khatri, Advocate for the applicant

Mr. Ashok Kumar Khubbar,
Additional Advocate General, Haryana

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 07.02.2017. Thereafter, a contract was executed between the parties. A dispute erupted between the parties. There is an arbitration clause in the 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. Ashok Kumar Khubbar, Additional Advocate General, Haryana, who on advance notice is present in Court, accepts notice on behalf of the respondent-State and waives service.

5. On the request 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. He further submits that as per Conditions of Contract, the applicant is required to make pre-deposit of 10% of the claimed amount.

7. The issue raised by respondent-State with respect to pre-deposit needs to be decided by Arbitral Tribunal.

8. 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.

9. Mr. Justice Rakesh Kumar Garg, Former Judge of this Court, residing at House No.417, Sector 35-A, Chandigarh, Mobile No.9780008133 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.

10. The parties at the first instance will appear before the Arbitrator on 10.10.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

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

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

13. 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.

14. A request letter along with copy of this order be sent to Mr. Justice Rakesh Kumar Garg.

(JAGMOHAN BANSAL)
JUDGE

23.09.2025*Mohit Kumar*

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