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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ARB-645-2025 (O&M)
Date of decision: 24.12.2025

M/S AGLOW BUILDERS

...Applicant(s)

VERSUS

CHIEF ADMINISTRATOR, GREATER LUDHIANA AREA
DEVELOPMENT AUTHORITY AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

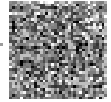
Present:- Mr. Namit Gautam, Advocate for the applicant.

Mr. Aman Sharma, Advocate for the respondents.

JASGURPREET SINGH PURI, J. (Oral)

1. The present application has been filed under Section 11 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 exists an agreement between the parties vide Annexure P-2 and there also exists a valid arbitration clause i.e. Clause 25 for appointment of a Sole Arbitrator. He further submitted that a dispute arose between the parties and the applicant invoked the aforesaid arbitration clause by issuing a notice dated 19.09.2025 (Annexure P-7) but no response was received from the respondents and therefore, the present application has been filed seeking appointment of an independent Arbitrator.



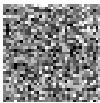
3. On the other hand, learned counsel for the respondents submitted that there is no dispute with regard to the existence of the aforesaid arbitration clause and invocation of the said arbitration clause by way of issuance of a notice vide Annexure P-7. He has however submitted that the only objection of the respondents is that the claim of the applicant is time barred and escalated.

4. I have heard the learned counsels for the parties.

5. All the essential conditions for appointment of a Sole Arbitrator under Section 11 of the Act stand satisfied since the existence of an arbitration clause and invocation of the said arbitration clause by way of issuance of a notice vide Annexure P-7 are not disputed by the learned counsel for the respondents. So far as the objection raised by the learned counsel for the respondents with regard to the time barred claim and the escalated claim is concerned, the same cannot be considered by this Court at the reference stage under Section 11 of the Act and this issue can be raised by the respondents before the learned Arbitrator at an appropriate stage.

6. In view of the aforesaid facts and circumstances, the present application is allowed. Mr. Justice Rajiv Sharma, a former Judge of this Court, resident of House No. 505 (Backside First Floor), Sector 36-B, Chandigarh, e-mail ID-rajivtrisha99@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.

7. 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.



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

24.12.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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