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

ARB-691-2025

Date of decision: 11.12.2025

M/S SACHDEVA BUILDERS THROUGH ITS PARTNER**...Applicant(s)****VERSUS****UNION OF INDIA THROUGH ENGINEER-IN-CHIEF AND ORS****...Respondent(s)****CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present:- Mr. Amardeep Singh, Advocate
for the applicant.

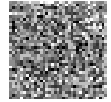
Mr. Ritik Mohindroo, Advocate
for the respondents.

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. Reply has been filed on behalf of the respondents in the Court today and the same is taken on record. A copy thereof has been supplied to the learned counsel for the applicant.

3. Learned counsel for the applicant submitted that there was an agreement between the parties vide Annexure P-1 and there also exists an arbitration clause i.e. Clause 6(b), which provides for the appointment of a Sole Arbitrator in the event of any dispute arising between the parties. He further



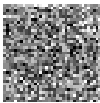
submitted that since a dispute has arisen between the parties, the applicant invoked the arbitration clause by issuing a notice vide Annexure P-8 dated 27.12.2023 but no response was received from the respondents and therefore, the present application has been filed seeking appointment of an independent Arbitrator.

4. On the other hand, learned counsel for the respondents, while referring to the aforesaid reply filed on behalf of the respondents, submitted that the claim of the applicant has already been satisfied and no ground exists for filing the present application under Section 11 of the Act since there is no outstanding claim.

5. I have heard the learned counsels for the parties and have also perused the aforesaid reply filed on behalf of the respondents in the Court today.

6. The only objection raised by the respondents is pertaining to the merits of the claim, which can be considered only by the learned Arbitrator at the time of arbitration proceedings and it cannot be considered by this Court at the reference stage under Section 11 of the Act. Learned counsel for the respondents has not disputed the existence of the aforesaid agreement, the arbitration clause and also the invocation of the arbitration clause by way of issuance of notice vide Annexure P-8 and therefore, all the ingredients for the appointment of a Sole Arbitrator under Section 11 of the Act stand satisfied.

7. In view of the aforesaid facts and circumstances, the present application is allowed. Mr. Justice Vivek Puri, a former Judge of this Court,



resident of House No.237, Sector 16-A, Chandigarh, Mobile No.-8558800190, E-mail ID-vivekpuri1962@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.

8. 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.

9. Fee shall be paid to the learned Arbitrator in accordance with the Fourth Schedule of the Arbitration Act, as amended.

10. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.

11. A request letter alongwith a copy of the order be sent to Mr. Justice Vivek Puri, a former Judge of this Court.

11.12.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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