IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Arb. Case No. 256 of 2025
Decided on : 30.10.2026

H.P. State Forest Development Corporation

…Petitioner

Versus

Sh. Khem Chauhan

…Respondents

Coram
The Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice.
Whether approved for reporting?[1]

For the petitioner	**:**	Ms. Kiran Dhiman, Advocate.
For the respondents	**:**	Mr. Jia Lal, Advocate, for Mr. G.R. Palsra, Advocate.

G.S. Sandhawalia, Chief Justice *(Oral)*

The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short 'the Act') for appointment of an Arbitrator, in terms of Clause 27 of the Agreement Deed dated 28.03.2018 (Annexure P-1), executed between the parties, for felling of trees, conversion of timber, Fuelwood, Manual Carriage of Forest produce from forest to road side depot Tung and from road side depot Tung to HSD Dhanotu and Shamshi.

2. It is averred that on account of the non-completion of the work within the specific time frame, a dispute had arisen and recoverable amount from the respondent was stated to be

1 *Whether reporters of the local papers may be allowed to see the judgment?*

Rs.9,65,357/-. A notice dated 18.04.2022, regarding depositing the recovery amount was served upon by the respondent (Annexure P-5). Vide Office Order dated 08.08.2022 (Annexure P-6), Mr. B.S. Rana, IFS (Retired) was appointed as an Arbitrator by the Managing Director of the Corporation. Thereafter, the claim was filed and on account of the ineligibility as such, under Section 12(5) of the Act, the said Arbitrator refused his appointment while hearing of the case and resultantly, notice dated 02.04.2025 (Annexure P-9) was served upon the respondent for appointment of a fresh Arbitrator.

3. Counsel for the respondent submits that he does not wish to file reply and does not object to the appointment of an Arbitrator.

4. Accordingly, the present petition is allowed and Ms. Srishti Verma, Advocate (Mob. No.9418690009) is appointed as an Arbitrator to adjudicate the dispute between the parties. After her disclosure in writing is obtained in terms of Section 11(8) of the Act and only after receipt thereof, her appointment, as an Arbitrator, shall come into force.

5. On her giving consent to arbitrate the dispute between the parties as an Arbitrator, Ms. Srishti Verma, Arbitrator-cum-Advocate, shall enter into reference and pass an award in accordance with law.

6. Copy of this order be furnished to the learned counsel for the parties as also to the learned Arbitrator. The learned Arbitrator so appointed, shall be entitled to fee as per stipulation contained in 4th Schedule appended to the Arbitration and Conciliation Act, 1996.

7. It is further directed that the Arbitrator after the proceedings are concluded, shall send the record to the Registrar (Judicial) for keeping the same in safe custody, since the challenge is liable to be raised under the provisions of the Arbitration Act to the award in question and it would be in the interest of justice to preserve the record, whereby the Arbitrator as such has been appointed by this Court.

8. Accordingly, the petition is disposed of, so also the pending applications, if any.

(G.S. Sandhawalia)
Chief Justice

October 30, 2026
(Shivank Thakur)