



ARB-56-2026 (O&M)

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

**ARB-56-2026 (O&M)
Date of Decision: 07.04.2026**

Satya Solutions

.... Applicant

Versus

NRI Group Housing Palam Vihar Condominium

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Lalit Goel, Advocate &
Ms. Aditi Sharma, Advocate for
Ms. Khusboo, Advocate,
for the applicant.

Mr. Shailender Singh, Advocate,
for the respondent.

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') praying for appointment of an independent Sole Arbitrator to adjudicate upon the disputes which have arisen between the parties.

2. Learned counsel for the applicant submitted that an agreement was executed between the applicant and the respondent vide Annexure P-1 dated 27.11.2023 pertaining to waterproofing and expansion joints repair works. The said agreement contains a valid arbitration clause i.e. Clause 22 which provides that during the progress of the work or after its completion, termination or non-performance of the contract any dispute or difference arises between the parties in relation to the work or this contract, the same shall be settled amicably between the parties and in the event of non-settlement of the said dispute within 60 days, the same shall be referred to

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the Sole Arbitrator. He submitted that when a dispute arose between the parties, the applicant invoked the aforesaid arbitration clause by issuing a notice under Section 21 of the Act to the respondent vide Annexure P-6 dated 27.08.2025. However, no response was received from the respondents in this regard. Therefore, the present application has been filed under Section 11 of the Act for appointment of an independent Sole Arbitrator.

3. On the other hand, Mr. Shailender Singh, learned counsel for the respondent has filed reply on behalf of the respondent in Court today, which is taken on record. He submitted that there is no dispute with regard to the existence of the aforesaid agreement, which contains a valid arbitration clause i.e. Clause 22 vide Annexure P-1. He further submitted that however a notice which was issued by the applicant vide Annexure P-6 was not received by the respondent.

4. However, learned counsel for the applicant submitted that the aforesaid notice was issued not only through email and WhatsApp, but also by speed post.

5. I have heard learned counsels for the parties.

6. The existence of the aforesaid agreement which contained the arbitration clause i.e. Clause 22 has not been disputed by learned counsel for the respondent. A legal notice dated 27.08.2025 has been issued by the applicant invoking the aforesaid arbitration clause which has been sent by way of speed post, WhatsApp and email. Therefore, this Court is of the considered view that both the essential conditions for appointment of a Sole Arbitrator under Section 11 of the Act stand satisfied especially when the aforesaid agreement and the arbitration clause contained therein have not been disputed by learned counsel for the respondent.

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7. In view of the above, the present application is allowed. Mr. Khem Karan Goyal, Additional District & Sessions Judge (Retired), resident of House No.382, IAS/PCS Society, New Chandigarh (Mullanpur Garibdas), SAS Nagar, Mohali, Mobile No.8558873011, 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. Khem Karan Goyal, Additional District & Sessions Judge (Retired).

07.04.2026*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |