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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ARB-104-2026

Date of decision: 23.03.2026

SANDEEP KUMAR

...Applicant(s)

VERSUS

CHIEF ENGINEER/DAMS, DEPARTMENT OF WATER RESOURCES,
PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

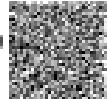
Present:- Mr. Deepak Kundu, Advocate
for the applicant.

Mr. Raghav Goel, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present application has been filed under Section 11(5) 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 is an agreement between the parties, which contains a disputes resolution mechanism, wherein Clause 25(v) specifically provides for the appointment of an Arbitrator. He further submitted that as per the aforesaid Clause, all the disputes or differences in respect of which the decision is not final and conclusive shall, at the request of either party made in communication sent through registered A.D. post, be referred for arbitration to a Sole Arbitrator in



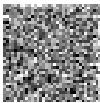
case the cost of the project is equal to or less than Rs.5 crores. He also submitted that the contract value of the project was less than Rs.5 crores and therefore, a Sole Arbitrator was required to be appointed and in this regard, the applicant invoked the aforesaid arbitration clause by issuing a notice dated 12.11.2024 (Annexure P-8) but no response was received from the respondents and consequently, the present application has been filed seeking appointment of an independent Arbitrator.

3. On the other hand, Mr. Raghav Goel, AAG, Punjab submitted on instructions that there is no dispute with regard to the existence of the arbitration clause and invocation of the said arbitration clause by way of issuance of a notice vide Annexure P-8 and therefore, the respondents have no objection in case an independent Sole Arbitrator is appointed by this Court to adjudicate the disputes which have arisen between the parties.

4. In view of the above, the present application is allowed. Mrs. Justice Sneh Prashar, a former Judge of this Court, resident of House No.482, Sector-2, Panchkula, Haryana, Mobile No.-8558809939, 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.

5. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed and communicated by the learned Arbitrator at her convenience.

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



7. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.
8. A request letter alongwith a copy of the order be sent to Mrs. Justice Sneh Prashar, a former Judge of this Court.

23.03.2026
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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