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

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**ARB-120-2026 (O&M)
Date of Decision:29.04.2026**

M/S Mehar Chand Contractor

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**Present:-** Mr. Lajpat Rai Sharma, Advocate for the petitioner.

Ms. Puneeta Sethi, Addl. A.G. Haryana.

JASGURPREET SINGH PURI J.(Oral)

1. The present is a petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act'), seeking appointment of a sole arbitrator in the present case.
2. Learned counsel for the petitioner submitted that a valid agreement (Annexure P-2) was entered into between the parties, which contains an arbitration clause i.e. Clause 25. He submitted that as per Clause 25(b), it has been provided that where the claim amount is less than Rs.10 crores, the matter shall be referred to a sole arbitrator to be appointed by the Engineer-in-Chief from the panel of arbitrators approved by the Government. He further submitted that the aforesaid Engineer-in-Chief cannot appoint an Arbitrator as the same would amount to unilateral appointment of the Arbitrator, which is contrary to law in view of Section



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12(5) of the Act as well as the law laid down by the Hon'ble Supreme Court in ***Perkins Eastman Architects DPC and another vs. HSCC (India) Limited (2020) 20 SCC 760***. He submitted that since a dispute arose between the parties, the petitioner served a notice dated 16.01.2026 upon the respondents vide Annexure P-6 for invoking the arbitration clause but no response was received from the respondents. Therefore, he submitted that this Hon'ble Court may appoint an independent and impartial arbitrator for adjudicating the dispute which has arisen between the parties.

3. On the other hand, learned State counsel submitted that there is no dispute regarding the existence of the arbitration clause or the service of notice invoking the arbitration clause upon the respondents. She further submitted that considering the aforesaid factual position and on instructions from Mr. Anand, Executive Engineer, Hisar Water Services Division, Hisar, the respondents have no objection if an independent and impartial sole arbitrator is appointed for adjudication of the dispute, as a valid arbitration clause exists between the parties. She, however, submitted that the respondents may be permitted to raise all the legally permissible pleas before the learned Arbitrator at an appropriate stage.

4. After hearing learned counsel for the parties and considering the fact that the existence of a valid arbitration clause as well as invocation thereof is not disputed, this Court is of the view that an independent and impartial sole arbitrator deserves to be appointed for adjudication of the disputes between the parties. Accordingly, the present petition is allowed. Hon'ble Mr. Justice Inderjit Singh (retired), resident of House No. 497,



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IAS/IPS Society, New Chandigarh, Mobile No.8558809904, Email: inderjitdsj@gmail.com is appointed as the Sole Arbitrator to adjudicate the disputes between the parties, subject to compliance of statutory provisions including Section 12 of the Act.

5. Liberty is granted to the respondents to raise all the legally permissible pleas as may be available to them in accordance with law before the learned Arbitrator at an appropriate stage.

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

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

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

9. A request letter alongwith a copy of the order be sent to Hon'ble Mr. Justice Inderjit Singh (retired).

29.04.2026

shweta

(JASGURPREET SINGH PURI)
JUDGE

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