



280

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-152-2026(O&M)

Date of Decision: 16.04.2026

M/S MEHAR CHAND CONTRACTOR

....Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. G.S. Sandhu, Advocate, for the petitioner.

Mr. Chirag Wadhwa, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') seeking appointment of an independent Sole Arbitrator.

2. Learned counsel appearing on behalf of the petitioner submitted that there is an agreement between the petitioner and respondents vide Annexure P-2 and as per the Detailed Notice Inviting Tender (DNIT) (Annexure P-3), there is an arbitration clause at paragraph No.25. Paragraph No.25(b) provides that for agreement amounts up to Rs.10 crores, the matter will be referred to a single Arbitrator to be appointed by the Engineer-in-Chief from the panel of Arbitrators approved by the Government. He submitted that the contract value of the present matter was less than Rs.10



crores and even otherwise also, the Arbitrator cannot be appointed unilaterally by the respondents being hit by the provisions of Section 12(5) of the Act and therefore, any independent Sole Arbitrator may be appointed by this Court. He further submitted that the petitioner invoked the aforesaid arbitration clause by issuing a notice dated 12.12.2025 (Annexure P-6) but no action was taken by the respondents and therefore, the present petition has been filed seeking appointment of an independent Sole Arbitrator.

3. Mr. Chirag Wadhwa, learned Deputy Advocate General, Haryana has submitted that he has specific instructions to state that the respondents have no objection in case an independent Sole Arbitrator is appointed by this Court in view of the fact that there is no dispute with regard to the existence of the aforesaid arbitration clause and invocation of the said arbitration clause by way of issuance of notice vide Annexure P-6. He has however submitted that liberty may be granted to the respondents to raise all the legally permissible pleas available to them in accordance with law before the learned Arbitrator at an appropriate stage.

4. In view of the above, the present petition is allowed. Hon'ble Mr. Justice Ashok Kumar Verma, a former Judge of this Court, resident of # 236, Sector-16, Chandigarh, mobile No.-8930900061, e-mail ID-ashokvermajustice@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.

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



6. 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.

7. Fee shall be paid to the 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 Ashok Kumar Verma, a former Judge of this Court.

16.04.2026

(JASGURPREET SINGH PURI)

rakesh

JUDGE

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