



ARB-522-2025 (O&M) 1

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

**ARB-522-2025 (O&M)
Date of Decision:19.03.2026**

KHATANA GROUP OF CONSTRUCTIONS

.....Petitioner

Versus

**DEENBANDU CHHOTU RAM UNIVERSITY OF SCIENCE AND
TECHNOLOGY AND OTHERS**

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Gaurav Arora, Advocate and
Ms. Mansi Goswami, Advocate for the petitioner.

Mr. Mahir Sood, Advocate, (through V.C.) and
Mr. Shikhar Narwal, Advocate for the respondents.

JASGURPREET SINGH PURI J.(Oral)

1. The present is a petition filed under Section 11 (4, 5, 6 & 8) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act'), seeking appointment of an impartial and independent arbitrator in the present case.
2. Learned counsel for the petitioner submitted that a valid agreement (Annexure P-4), pertaining to "Up-gradation of existing classrooms of various departments to smart classrooms i.e. MV Block, Library building (Humanities & MBA Department), C.V. Raman Block, V.S. Block and JCB Block at DCRUST, Murthal (Sonipat)" was entered



ARB-522-2025 (O&M) 2

into between the parties, which contains an arbitration clause at Clause 24.2. He further submitted that the contract value in the present case is approximately Rs.2.2 crores and therefore, falls within the range of more than Rs.2 crores and less than Rs.10 crores and as per the aforesaid clause, the matter is to be referred to a sole arbitrator. He further submitted that despite efforts towards an amicable settlement, no resolution could be arrived at between the parties. He also submitted that the matter is pending before the Vice Chancellor, however, all the claims of the petitioner have not yet been finally decided by the Vice Chancellor. He further submitted that the petitioner served a notice dated 26.05.2025 (Annexure P-16) upon the respondent invoking the arbitration clause, but no reply was received from the respondent. Therefore, he submitted that this Hon'ble Court may appoint a sole arbitrator for adjudicating the dispute.

3. On the other hand, learned counsel for the respondent submitted that there is no dispute with regard to existence of the agreement (Annexure P-4) or the arbitration clause contained therein. It is also not disputed that the petitioner invoked the arbitration clause by issuing notice (Annexure P-16) to the respondent. He, however, submitted that the Vice Chancellor has already accepted two claims of the petitioner, whereas the remaining claims are still under consideration.

4. I have heard the learned counsels for the parties.

5. The existence of the agreement containing the arbitration clause and the invocation of the said clause by issuance of notice have not been disputed by learned counsel for the respondent. It was the submission



ARB-522-2025 (O&M) 3

of learned counsel for the respondent that the Vice Chancellor has already accepted two claims of the petitioner and the remaining claims are still under consideration. This Court is of the considered view that the fact that some of the claims are still under consideration before the Vice Chancellor would not mean that the petitioner can be non-suited because of the aforesaid reason. At the stage of reference under Section 11 of the Act, the Court is only required to see *prima facie* existence of the arbitration clause and its invocation by issuance of notice and both the conditions stand fulfilled in the present case.

6. In view of the aforesaid facts and circumstances, the present petition is allowed. Mr. Kuldip Kumar Kareer, learned District and Sessions Judge, (Retired), resident of House No. 262, Sector-7, Chandigarh. Mobile: 9780055722 E-mail:kuldipkareer@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.

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

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

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

10. A request letter alongwith a copy of the order be sent to



ARB-522-2025 (O&M) 4

Mr. Kuldip Kumar Kareer, learned District and Sessions Judge, (Retired).

19.03.2026
shweta

(JASGURPREET SINGH PURI)
JUDGE

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