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

**ARB-682-2025 (O&M)
Date of Decision: 03.02.2026**

M/s Aranaya Buildcom and Engineers

.... Applicant

Versus

Guru Angad Dev Veterinary & Animal Sciences University, Ludhiana & ors
..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rajesh Kumar Girdhar, Advocate,
for the applicant.

Mr. T.P.S. Tung, Advocate
for the respondents.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present application has been filed under Section 11 read with Section 12 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 there was an Agreement executed between the applicant and the respondents vide Annexure A-1 in which there exists a valid arbitration clause i.e. Clause 25 and sub-clause (v) of the said Clause 25 so provides that all disputes or differences arising between the parties shall be referred to the sole arbitration of the Chief Engineer, GADVASU. He submitted that the Chief Engineer so stated in the aforesaid arbitration clause cannot be appointed as the Sole Arbitrator in view of the provisions of Section 12(5) of the Act and



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also in view of the law laid down by Hon'ble Supreme Court in "*Perkins Eastman Architects DPC Vs. HSCC (India) Ltd.*", 2020(20) SCC 760. He further 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 respondents vide Annexure A-15 dated 18.07.2025, to which the respondents have sent a reply vide Annexure A-16 whereby they have insisted that as per Clause 25(v), the Chief Engineer, GADVASU will be the Sole Arbitrator and the applicant may approach him with regard to the same, which is not permissible under the law. Therefore, the present petition has been filed under Section 11 of the Act for appointment of an independent Sole Arbitrator.

3. On the other hand, learned counsel for the respondents submitted that the only stand taken by the respondents in this regard is that the Chief Engineer, GADVASU will be appointed as the Sole Arbitrator to adjudicate upon the dispute which have arisen between the parties. So far as the existence of the aforesaid arbitration clause in the Agreement (Annexure A-1) and the invocation of the said clause by issuing a notice to the respondents under Section 21 of the Act vide Annexure A-15 are concerned, the same are not disputed by the respondents.

4. I have heard learned counsels for the parties.

5. In the present case, existence of the aforesaid arbitration clause as well as invocation of the said clause by issuing notice to the respondents under Section 21 of the Act is not in dispute. The argument raised by learned counsel for the respondents with regard to the appointment of the Chief Engineer as the Sole Arbitrator cannot be sustained and cannot be permitted under the law being interested party.

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6. In view of the above, the present petition is allowed. Mr. Jasleen Singh Jaidka, Advocate, resident of House No.612, Sector 18-B, Chandigarh Mobile No.9872461218/9464161218, 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 the learned Arbitrator on date, time and place to be fixed and communicated by the learned Arbitrator at his convenience.

8. Fee shall be paid to the 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 Mr. Jasleen Singh Jaidka, Advocate.

03.02.2026*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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