

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

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ARB-534-2021

Date of Decision: 28.04.2023

Ghatal Devta Coop. L/C Society

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present:- Mr. Lajpat Sharma, Advocate for
Mr. Vivek Khatri, Advocate for the petitioner.

Mr. Sharad Aggarwal, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J. (Oral)

1. This petition is filed under Section 11 of Arbitration and Conciliation Act, 1996 for appointment of the Arbitrator.

2. The brief facts are that the petitioner was allotted a tender for Construction of Waste Water *Nala* at village Mehrana, District Bhiwani. Clause 24 of Conditions of Contract provides for dispute resolution system. Clause 24.1 of Contract is reproduced below:

“24.1 In case of contract(s) of value lesser than Rs.2 cr., the agency will make an appeal to the Appellant Authority i.e. concerned Superintending Engineer who will decide the issue within 90 days. In case of dissatisfaction on the part of the contractor, he can go to Court after the decision of this appeal or after 90 days in case of no decision from the Appellant Authority.”

3. It is not disputed by the parties that the contract value was less than Rs.2 crore.

4. In view of the admitted facts and from the reading of Clause 24.1, clear picture emerges is that there is no arbitration prescribed for a contract having value less than Rs.2 crore. Consequently, the petition is dismissed.

5. Needless to say that the petitioner would be at liberty to avail remedies in accordance with law.

April 28, 2023
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No