

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDI GARH

ARB-177-2016 (O&M)
Date of decision: - 03.02.2017

M/s Surjit Singh Sodhi & Co.

... Petitioner

Versus

Panjab University, Chandigarh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE S. J. VAZIFDAR, CHIEF JUSTICE

Present: - Mr. Suvir Sehgal, Advocate,
for the petitioner.

Mr. Mahir Sood, Advocate,
for the respondents.

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S. J. VAZIFDAR, C. J. (ORAL)

This is a petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 for the appointment of an arbitrator.

2. The petitioner had earlier filed ARB-74-2016 for the appointment of an arbitrator in respect of the same contract which was disposed of by my order dated 29.04.2016. The Vice Chancellor of the respondent-University was directed to appoint an arbitrator in accordance with clause 25A of the agreement between the parties. An arbitrator was accordingly appointed and had entered upon reference. A statement of claim was filed. Thereafter, the petitioner sought to raise additional claims. It seeks an appointment of the arbitrator in respect of these additional claims. There is no order of the learned arbitrator rejecting the application in respect of the additional claims. In any event, the learned counsel appearing on behalf of the respondents submits that even assuming that the additional claims can now be raised, the same ought to be done before the same arbitrator. I agree.

3. The petition is, therefore, disposed of by referring the additional claims to the same learned arbitrator with the clarification that all the contentions between the parties are kept open. The same shall include the respondents' contention that the claim is barred for any reason such as under Order 2 Rule 2.

(S. J. VAZIFDAR)
CHIEF JUSTICE

03.02.2017

Anodh

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