

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Arbitration Case No. 246 of 2016 (O&M)
Date of Decision: 24.03.2017

M/s R.K.Jain Infra Project Pvt. Ltd.

.....Petitioner

versus

Haryana State Roads & Bridges Development Corporation Ltd. and others

.....Respondents

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

Present : Mr. Deepak Saini, Advocate, for the petitioner.
Ms. Mamta Talwar Singla, Deputy Advocate General, Haryana,
for the respondents.

S.J.VAZIFDAR, CHIEF JUSTICE (ORAL)

This is a petition under section 11(6) of the Arbitration and Conciliation Act, 1996 for the appointment of a sole arbitrator to adjudicate upon the disputes and differences between the parties.

The parties had entered into an agreement and clauses 38 and 39 whereof contain an arbitration agreement. The petitioner invoked the arbitration clause by a letter dated 20.06.2016. The respondents did not exercise their right to nominate an Arbitrator till after filing of this petition. The petition was filed on 17.11.2016. The respondents, therefore, forfeited their right to nominate the arbitrator. The appointment of the arbitrator by the respondents on 04.01.2017 is, therefore, of no effect.

The petition is, therefore, disposed of by appointing Mr. Justice S.K.Jain, a former Judge of this Court, as the sole arbitrator to adjudicate upon the disputes and differences between the parties. The venue of the arbitration shall be the Chandigarh Arbitration Centre.

24.03.2017
ravinder

(S.J. VAZIFDAR)
CHIEF JUSTICE

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