



269-A

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

**ARB-314-2024
Date of decision: 30.09.2025**

**THE MATTEWAL COOPERATIVE LABOUR AND CONSTRUCTION
SOCIETY LIMITED**

...Petitioner(s)

VERSUS

PUNJAB HEALTH SYSTEMS CORPORATION AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Dheeraj Mahajan, Advocate
for the petitioner.

Mr. Deepanshu Mehta, Advocate
for the respondents.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') seeking appointment of an independent Arbitrator to adjudicate the disputes and differences which have arisen between the parties pertaining to an agreement entered into between the parties regarding construction of Students Centre at Government Medical College, Amritsar.

2. Learned counsel for the petitioner submitted that an agreement was executed between the petitioner and the respondents for carrying out the aforesaid construction work. He further submitted that there was an arbitration clause i.e. Clause 25 vide Annexure P-2, wherein a procedure was prescribed for appointment of an Arbitrator. He further submitted that a dispute arose



between the parties with regard to the subject matter of the present case and consequently, the petitioner issued notices vide Annexure P-3 and Annexure P-4 but the respondents did not agree to the arbitration process. He also submitted that considering the aforesaid arbitration clause, which is undisputed, any independent Arbitrator may be appointed to adjudicate the disputes.

3. On the other hand, learned counsel for the respondents submitted that there is no dispute with regard to the existence of the agreement as well as the arbitration clause. He further submitted that he has no objection to the appointment of any independent Arbitrator. He has however submitted that since the respondents have taken up a plea that the matter was earlier settled between the parties and the petitioner himself has so stated vide Annexure R-2 that he will not raise any dispute thereafter, this plea may be permitted to be taken up before the learned Arbitrator at an appropriate stage, including as a preliminary issue.

4. After hearing the learned counsels for the parties and considering the fact that the counsel for the respondents has not disputed the appointment of any independent Arbitrator, the present petition is allowed. Mr. Pranav Chadha, Advocate, resident of House No.5408, Sector 38 (West), Chandigarh, Mobile No.9915007790, e-mail ID-pchadha31@hotmail.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.

5. The respondents shall always be at liberty to take up any appropriate plea before the learned Arbitrator, at an appropriate stage, including preliminary objections, strictly in accordance with law.



6. 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.
7. Fee shall be paid to the learned Arbitrator in accordance with the Fourth Schedule of the Arbitration Act, as amended.
8. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.
9. A request letter alongwith a copy of the order be sent to Mr. Pranav Chadha, Advocate.

(JASGURPREET SINGH PURI)
JUDGE

30.09.2025
Chetan Thakur

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