

ARB-560-2021 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

(267-4)

ARB-560-2021 (O&M)

Date of decision:- 24.01.2024

M/s R & J Infrastructure

... Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Arun Bansal, Advocate and  
Mr. Anubhav Bansal, Advocate  
for the petitioner.

Mr. Vikas Arora, AAG, Punjab.

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**SUVIR SEHGAL, J. (ORAL)**

1. Instant petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short "the Act") for appointment of an Arbitrator for settlement of dispute arising in Contract Identification Number DWSS-W-DIV48-4685-1 for allocation of work of augmentation of safe drinking water supply scheme at Village Lubanianwali and Nazabat Kukrian, Block and District Sri Muktsar Sahib (under PRWSSIP- Water Logged Schemes).

2. Short reply has been filed on behalf of the respondents, wherein it has been submitted that as the value of the contract is more than Rs.50 lacs, the tribunal has to consist of 3 arbitrators.

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3. In similar matters disposed of by this Court by an order passed on even date, an affidavit has been filed by the Executive Engineer, Water Supply and Sanitation Department, Division No.1, Sri Muktsar Sahib and its relevant extract is as under:-

*“1. That the present Affidavit is being filed in compliance with an Order dated 19.8.2021 passed by this Hon’ble Court by virtue of which a direction has been issued to file affidavit to the effect that the Respondents have no objection if matter is continued before the Sole Arbitrator even if the value of the contract is above Rs. 50 Lacs.*

*2. That in this respect it is most respectfully submitted that the answering respondents have no objection if matter is continued before the Sole Arbitrator.”*

4. State counsel is assisted by Mr. Jasvinder Singh, Executive Engineer, Water Supply and Sanitation Department, Division No.1, Sri Muktsar Sahib, who is present in person. He submits that even in this matter, the respondents do not have any objection, in case, a sole Arbitrator is appointed to adjudicate the dispute.

5. As the controversy stands resolved, the prayer made in the petition deserves to be accepted.

6. Accordingly, petition is allowed. Mr. Gurcharan Singh Ruppal, FIE, House No. 1407 GF, Sector 42-B, Chandigarh-160036, who is already conducting the proceedings in a connected matters, is appointed as the sole Arbitrator to adjudicate the dispute between the parties, subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to adjudicate the dispute between the parties.

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7. Parties are directed to appear before the Arbitrator on 01.03.2024 at 11:00 A.M. at the address mentioned above or at any other place to be fixed with the consent of the parties.
8. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.
9. The arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the Act.
10. Copy of the order be sent to the appointed arbitrator.
11. Pending applications, if any, stands disposed of.

**(SUVIR SEHGAL)**  
**JUDGE**

24.01.2024

*Kamal*

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No