



ARB-377-2023

-1-

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

281

ARB-377-2023

Date of Decision: 25.09.2024

M/s Sai Consultancy

...Applicant

Versus

M/s Haryana Power Generation Corporation Limited

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Anish Roy, Advocate,
Mr. Chandrakant Tiwari, Advocate and
Mr. Neeraj Jain, Advocate for the applicant

Ms. Saloni Sharma, Advocate
for Mr. Prateek Mahajan, Advocate for the respondent

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short '1996 Act'), the applicant is seeking appointment of an Arbitrator.

2. The parties entered into agreement dated 24.08.2016 (Annexure P-1). A dispute erupted between the parties. There is an arbitration clause in the General Terms and Conditions of Contract. The execution of agreement, arbitration clause in the General Terms and Conditions of Contract and service of notice under Section 21 of 1996 Act is not disputed.

3. Learned counsel for the respondent submits that he leaves it to this Court to make appointment of an independent Arbitrator.

4. Conditions to invoke power conferred by Section 11(6) of 1996 Act stand satisfied, thus, I hereby appoint a sole Arbitrator to adjudicate the dispute between the parties.

**ARB-377-2023****-2-**

5. Mr. Karnail Singh Ahhi, Advocate, House No.1193, Sector 43-B, Chandigarh, Mobile Nos.8725941955 & 9888211658 is hereby appointed as a Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory requirements. The learned Arbitrator is requested to comply with mandate of Section 12 of 1996 Act before proceeding further.

6. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.

7. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

8. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the Act.

9. Needless to mention, parties would be at liberty to raise all the claims/defences/counter claims/pleas before the Arbitrator. Any observation made hereinabove will not be binding on the learned Arbitrator.

10. A request letter along with copy of this order be sent to Mr. Karnail Singh Ahhi, Advocate.

(JAGMOHAN BANSAL)
JUDGE

25.09.2024*Mohit Kumar*

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