



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

281

ARB-380-2023

Date of Decision: 01.08.2024

Balwant Singh Contractor**...Applicant****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. R.K. Girdhar, Advocate for the applicant

Mr. Ramandeep Singh, Senior Deputy Advocate General, Punjab
*****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 respondent vide letter dated 15.12.2021 (Annexure A/2) allotted tender/work to the petitioner. There is an arbitration clause in the General Conditions of Contract. The parties are neither disputing existence of allotment letter (Annexure A/2) nor arbitration clause.
3. The applicant, in terms of Section 21 of 1996 Act, served notice dated 05.07.2023 (Annexure A/17) upon the respondent. The respondent vide reply dated 06.07.2023 (Annexure A/18) declined request of the applicant.
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-380-2023****-2-**

5. Mr. Justice (Retd.) Shekher Dhawan, residing at House No.2109, Sector 21, Chandigarh, Mobile No.8558809941 is requested to act as an 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 will 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. Justice (Retd.) Shekher Dhawan.

(JAGMOHAN BANSAL)
JUDGE

01.08.2024*Mohit Kumar*

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