

*ARB-119-2025**1*

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

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Date of decision:20.02.2025

M/s Engineers

.....Applicant

VERSUS

State of Punjab & others

....Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Rajesh Kumar Girdhar, Advocate and
Mr. Chirag Girdhar, Advocate and
Ms. Kirandeep Kaur, Advocate for the applicant.

Mr. Aman Dhir, DAG, 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. Pursuant to tender, the applicant was allotted work vide agreement dated 19.01.2023 (Annexure P/2). A dispute erupted between the parties. There is an arbitration clause in the aforesaid agreement. The allotment of work, execution of agreement, arbitration clause in agreement and service of notice under Section 21 of 1996 Act is not disputed.
3. Mr. Aman Dhir, DAG, Punjab, expressed his inability to controvert the execution of arbitration agreement and compliance of conditions to invoke Arbitration Clause.
4. The parties have concededly entered into an arbitration agreement and dispute has arisen on account of work executed by the applicant for the respondent. The question whether respondent has rightly or wrongly made



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deductions from final bill of the applicant needs to be adjudicated by Arbitral Tribunal.

5. 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.

6. Mr. Justice Jasbir Singh, Retired Judge of this Court, residing at House No.839, Sector 16, Chandigarh, Mobile No.9780008106 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.

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

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 1996 Act.

10. 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.

11. A request letter along with copy of this order be sent to Mr. Justice Jasbir Singh.

(JAGMOHAN BANSAL)
JUDGE

20.02.2025

Nisha-I

Whether speaking/reasoned
Whether reportable

Yes
No