

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

**Arbitration Case No. 621 of 2021
Date of decision: 1st February, 2023**

M/s Numerous Builders Pvt. Ltd.

Petitioner

Versus

Chaudhary Charan Singh Haryana Agricultural University Hissar & others
Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Naveen, Advocate for the petitioner.
Mr. Vaibhav Gupta, Advocate for the respondents.

AVNEESH JHINGAN, J (Oral):

This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, 'the Act') for appointment of an arbitrator for adjudication of disputes between the parties.

The petitioner was allotted work for construction of building for innovation centre for Agriwaste Management. Clause 24 of the general terms and conditions provides for dispute resolution through arbitration.

There was a dispute between the parties.

The petitioner served notice dated 29.11.2021 for appointment of an arbitrator. On failure to do the needful, the present petition was filed.

Learned counsel for the respondents submits that though an arbitrator was appointed during the pendency of the petition, but on instructions he fairly submits that he has no objection if a retired Judge of this court be appointed as an arbitrator.

Accordingly, the present petition is accordingly disposed of by appointing Mr. Justice Inderjit Singh, former Judge of this Court, # 497, IAS IPS Society, New Chandigarh as the sole arbitrator subject to

declaration to be made by him under Section 12 of the Act with regard to independence and impartiality to settle the dispute between the parties.

The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended. The fee of the arbitrator will be equally borne by both the parties.

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

It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement including the condition of pre-deposit.

Since the main case has been disposed of, pending applications, if any, stand disposed of.

Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

1st February, 2023

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |