

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

Arbitration Case No. 20 of 2020

Date of decision: 9<sup>th</sup> May, 2023

M/s V. S. Saini Contractor

Petitioner

Versus

Chief Engineer, PWD, B&R, Punjab and another

Respondents

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.  
Mr. Charanpreet Singh, AAG, Punjab.

**AVNEESH JHINGAN, J (Oral):**

1. 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.
2. The petitioner was allotted tender for upgradation of Dinanagar Galri Road, Gurdaspur. Clause 25 of the general terms and conditions provides for pre-arbitration mechanism and dispute resolution through arbitration.
3. The petitioner raised claim dated 13.5.2019. Thereafter, the petitioner served notice dated 21.10.2019 for appointment of arbitrator. On failure to do the needful, the present petition was filed.
4. Learned counsel for the respondents submits that liberty be granted to raise all the issues in arbitration proceedings.
5. Learned counsel for the parties agree to the appointment of Mr. Amarjit Singh Katari, Additional District & Sessions Judge (Retd.) as sole arbitrator.
6. The petition is accordingly disposed of by appointing Mr. Amarjit Singh Katari, Additional District & Sessions Judge (Retd.), H. No. 145, Phase 3B-1, Sector 60, SAS Nagar as the sole arbitrator. The arbitrator is appointed subject to declaration to be made by him under

Section 12 of the Act with regard to his independence and impartiality to settle the dispute between the parties.

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 29A of the Act.

9. It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement.

10. Needless to say that respondent will be at liberty to raise all the issues in arbitration proceedings.

11. Copy of the order be sent to the appointed arbitrator.

**[AVNEESH JHINGAN]**  
**JUDGE**

**9<sup>th</sup> May, 2023**

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