

**Arbitration Case No. 122 of 2022 & connected matter [1]**

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

**Date of decision: 3<sup>rd</sup> February, 2023**

(1) Arbitration Case No. 122 of 2022

Satpal Singh

Petitioner

Versus

State of Haryana and others

Respondents

(2) Arbitration Case No. 123 of 2022

Satpal Singh

Petitioner

Versus

State of Haryana and others

Respondents

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

Present: Mr. Naveen, Advocate for the petitioner.  
Mr. Sharad Aggarwal, AAG, Haryana.

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

This order shall dispose of above-mentioned two petitions, as the parties are common and similar relief is sought.

For the sake of convenience, facts are being taken from Arbitration Case No.122 of 2022.

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.

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The petitioner entered into a contract agreement with the respondent for excavation of balance work of providing water supply scheme Kharkhoda Town, District Sonipat. Clause 25 (A) of the general terms and conditions provides for pre-arbitration mechanism and dispute resolution through arbitration.

There was a dispute between the parties.

The petitioner raised the claim vide notices 1.9.2020 and 29.9.2020. Thereafter, notice under Section 21 of the Act was issued on 5.01.2021. The needful having not been done, the present petition was filed.

Learned counsel for the parties agree to the appointment of Mr. J. R. Chauhan, District & Sessions Judge (Retd.).

Accordingly, the present petition is accordingly disposed of by appointing Mr. J. R. Chauhan, District & Sessions Judge (Retd.), H. No. 2151, Sector 13-17, Panipat 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.

Needless to say that the respondents would be at liberty to raise the objections before the arbitrator.

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

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petitioner's complying with all the requirements of the agreement including the condition of pre-deposit.

Since the main cases have been disposed of, pending applications, if any, stand disposed of.

Copy of the order be sent to the appointed arbitrator.

Photocopy of the order be placed on the file of connected case.

**[AVNEESH JHINGAN]  
JUDGE**

**3<sup>rd</sup> February, 2023.**

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