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

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Date of Decision: 15.09.2025

M/s Kher Construction

...Applicant

Versus

Chief Engineer, Municipal Corporation Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Amit Parashar, Advocate and
Mr. Namit Gautam, Advocate for the applicant
Ms. Brea Sandhu, Advocate
for Ms. Deepali Puri, Advocate for the respondent

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11 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 by the respondent vide letter dated 05.09.2017. A dispute erupted between the parties. There is an arbitration clause in General Conditions of Contract. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

3. Learned counsel for the respondent expressed her inability to controvert existence of arbitration clause in General Conditions of Contract and service of notice.

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



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dispute between the parties.

5. Mr. Justice Ravi Shanker Jha, Former Chief Justice of this Court, residing at H.No. 913, Old B-68, Pandit Lajja Shankar Jha Road, Wright Town, Jabalpur-482001, Mobile No.9425153362 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.

6. The parties at the first instance will appear before the Arbitrator on 29.09.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

7. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.

8. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

9. 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.

10. A request letter along with copy of this order be sent to Mr. Justice Ravi Shanker Jha.

11. Pending application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

15.09.2025

Mohit Kumar

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