

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDI GARH

ARB-130-2015 (O&M)

Date of decision: - 18.03.2016

Sukhvinder Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE S. J. VAZIFDAR, ACTING CHIEF JUSTICE

Present: - Mr. Ashish Rawal, Advocate,
for the petitioner.

Mr. Rahul Dev Singh, Deputy Advocate General,
Haryana.

Mr. G.S. Rana, Advocate,
for respondent No. 3.

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S. J. VAZIFDAR, A. C. J. (ORAL)

This is a petition under Section 11(4) of the Arbitration and Conciliation Act, 1996 for the appointment of an arbitrator.

2. The parties had admittedly entered into an agreement clause 25A whereof contains an arbitration agreement. The respondents' Chief Engineer was entitled to appoint the arbitrator not below the rank of the Superintending Engineer.

3. Disputes and differences having arisen between the parties, the petitioner through his brother invoked the arbitration clause. The arbitrator has still not been appointed. The respondents have, therefore, forfeited their right to appoint an arbitrator. The petitioner, however, has no objection to the appointment of any person from the respondents' panel of arbitrators, provided he is no longer in

the respondents' service. The arbitrator has accordingly been suggested from the panel.

4. The petition is, therefore, disposed of by appointing Mr. S.P. Guptam, Chief Engineer (Retired), H. No. 1670, Sector-4, Panchkula, as the sole arbitrator.

(S. J. VAZIFDAR)
ACTING CHIEF JUSTICE

18.03.2016

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