

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

ARB-258-2022 (O&M)
Date of Decision:-15.9.2023

M/s Sutlej Constructions Limited ... Petitioner

Versus

Punjab Mandi Board and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.S. Rana, Advocate and
Mr. G.S. Rana, Advocate for the petitioner.

Mr. M.S. Virk, Advocate for
Dr. Puneet Kaur, Sekhon, Advocate,
for the respondent-Punjab Mandi Board.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking appointment of an Arbitrator in terms of provisions of Section 11(6) of Arbitration and Conciliation Act, 1996.
2. The contracting parties i.e. the petitioner as well as the respondents specifically agreed for reference of the disputes to an Arbitrator as would be evident from Clause No.25 of agreement (Annexure A-1). A dispute having arisen, the petitioner served notice dated 29.1.2022 (Annexure A-4) seeking

invocation of arbitration clause and for appointment of an independent Arbitrator but to no avail.

3. Pursuant to issuance of notice of motion Mr. M.S. Virk, Advocate for Dr. Puneet Kaur, Sekhon, Advocate has put in appearance on behalf of the respondent-Punjab Mandi Board.
4. Having heard learned counsel for the parties and while noticing that Clause No.25 of agreement (Annexure A-1) specifically provides for resolution of disputes through an Arbitrator and requisite notice dated 29.1.2022 (Annexure A-4) has also been issued, the instant petition is hereby accepted.
5. Accordingly, Ms. Harsimrat Rai, Advocate is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Ms. Harsimrat Rai, Advocate under Section 12 of the Act with regard to his independence and impartiality to settle the disputes between the parties.
6. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended or as may be mutually settled by the parties and the Arbitrator.
7. As per agreement expressed by learned counsel for the parties, for the sake of the convenience of their respective clients, as also of the Arbitrator, the venue for the Arbitration shall be at Arbitration Centre, Chandigarh or at any other place convenient to all concerned.
8. After seeking convenience of the Arbitrator, the parties are directed to appear before him on 10.10.2023 at 11:00 A.M. or any other date suitable to all concerned.
9. A copy of this order be sent to the appointed Arbitrator at the given address :

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(3)

2023:PHHC:122209

H. No. 401, GH-9,
Sector 20, Panchkula.
Phone No.99154-68877

10. The petition is accordingly disposed of in the above mentioned terms.

15.9.2023

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No