



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

297

ARB-642-2024

Date of decision: 08.05.2025

M/S GOLDEN ENGINEERING

...APPLICANT

Vs.

M/S BANSAL INFRATECH SYNERGIES INDIA LIMITED AND
ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Mayank Gupta, Advocate and
Mr. Didar Singh, Advocate
for the applicant.

Mr. Nitesh Garg, Advocate
for the respondents.

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. The parties entered into arbitration agreement dated 05.10.2021. A dispute erupted between the parties. The applicant served notice upon respondent seeking resolution of dispute through arbitral tribunal but to no avail.
3. Mr. Nitesh Garg, Advocate, counsel for the respondents submits that as per arbitration agreement, arbitral tribunal should comprise 3 members. The applicant has nominated one Arbitrator. Nevertheless, he leaves it to this Court to appoint sole Arbitrator to resolve the issue.
4. Faced with this, Mr. Mayank Gupta, Advocate, counsel for the applicant submits that he has no objection if sole Arbitrator is appointed to resolve the issue.

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5. Conditions to invoke power conferred by Section 11(6) of 1996 Act stand satisfied, thus, I hereby appoint a sole Arbitrator to adjudicate the dispute between the parties.

6. Mrs. Justice Daya Chaudhary, former Judge of this Court, residing at House No. 25, Sector 17, Panchkula, Mobile No. 9780008137 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.

7. The parties at the first instance will appear before the Arbitrator on 23.05.2025 at 10.00 A.M. and thereafter as directed by learned Arbitrator.

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

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

10. 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.

11. A request letter along with copy of this order be sent to Mrs. Justice Daya Chaudhary.

08.05.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

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