



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

ARB-180-2025

Date of Decision: 19.03.2025

SG Construction Company

.....Applicant(s)

Versus

State of Punjab and others

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Ankit Midha, Advocate,
for the applicant.

Mr. Aman Dhir, DAG, Punjab.

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. A dispute erupted between the parties. The applicant served notice upon respondent seeking resolution of dispute through arbitral tribunal but to no avail.
3. Notice of motion.
4. Mr. Aman Dhir, DAG, Punjab, who on advance notice is present in Court, accepts notice on behalf of respondent-State.
5. With the consent of both sides, the matter is taken up for final disposal.
6. Learned State counsel submits that applicant at the first instance was supposed to approach authorities including Appellate Authority whereas he has straight away approached this Court.



7. Mr. Midha submits that respondent has deducted royalty from the final bill of the applicant on the direction of Chief Minister. Thus, there is no question of adjudication of dispute by Engineer or Superintending Engineer.

8. 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.

9. Mr. Justice Jasbir Singh, Retired Judge of this Court, residing at House No.839, Sector 16, Chandigarh, Mobile No.9780008106 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.

10. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.

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

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

13. 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.

14. A request letter along with copy of this order be sent to Mr. Justice Jasbir Singh.

19.03.2025

shivani

Whether reasoned/speaking

Whether reportable

Yes

No

(JAGMOHAN BANSAL)
JUDGE