



ARB-133-2025

-1-

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

244

ARB-133-2025

Date of Decision: 23.07.2025

M/s Mittal Construction Co.

...Applicant

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Amit Gupta, Advocate and
Mr. Nikhil Handu, Advocate for the applicant
Mr. Chanchal K. Singla, Additional Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11(6) 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 allotment letter dated 29.12.2021 (Annexure A-1). 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 State counsel expressed his inability to controvert existence of arbitration clause in General Conditions of Contract and service of notice. He, however, submits that on the request of the applicant, the matter was referred to Superintending Engineer who has rejected claim of the applicant, thus, appointment of Arbitral Tribunal would be a futile exercise.



ARB-133-2025

-2-

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 dispute between the parties.

5. Mr. Justice Rakesh Kumar Garg, Former Judge of this Court, residing at House No.417, Sector 35-A, Chandigarh, Mobile No.9780008133 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 07.08.2025 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 Rakesh Kumar Garg.

(JAGMOHAN BANSAL)
JUDGE

23.07.2025

Mohit Kumar

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