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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-547-2023(O&M)
Date of Decision: 20.08.2025

TELECOMMUNICATIONS CONSULTANTS INDIA LIMITED

....Petitioner(s)

Versus

PUBLIC WORKS DEPARTMENT AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Dr.Vijay Awana, Advocate and
Mr. Manish Nagar, Advocate, for the petitioner.

Ms. Neha Sonawane, DAG, Punjab.

Mr.Gagandeep Singh Virk, Advocate, for respondent No.2.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') praying for appointment of an independent and impartial Arbitrator to adjudicate the disputes and differences which have arisen between the parties pertaining to an agreement entered into between the parties.

2. Learned counsel for the petitioner submitted that a concession agreement was executed between the parties for the purpose of construction and maintenance of Toll Plaza and also the road in between, apart from various other projects. He submitted that this agreement was dated 08.05.2006 and in the aforesaid agreement, there was a separate arbitration



clause i.e. clause 19.2. He submitted that a dispute arose between the parties and consequent upon the same, a notice was issued to the respondents vide Annexure P-26 dated 28.06.2023 for invocation of the arbitration clause but the same was not replied to by the respondents. He submitted that considering the aforesaid fact that there exists a valid arbitration clause, any independent Sole Arbitrator may be appointed by this Court for the purpose of adjudication of the dispute.

3. Ms. Neha Sonawane, learned DAG, Punjab has submitted that she has received instructions to state that the State of Punjab has got no objection in case any Sole Arbitrator is appointed by this Court and there is no dispute that there exists a valid arbitration clause in the aforesaid agreement.

4. Mr. Gagandeep Singh Virk, learned counsel appearing on behalf of respondent-Board submitted that he has also sought instructions to state that the respondent-Board has got no objection in case any independent Sole Arbitrator is appointed by this Court to adjudicate the dispute and there is no dispute to the effect that there exists a valid arbitration agreement and arbitration clause.

5. In view of the aforesaid facts and circumstances, the present petition is allowed. Hon'ble Mr. Justice (Retd.) Vivek Puri, a former Judge of this Court, resident of House No.237, Sector 16-A, Chandigarh, Mobile No. 8558800190, is nominated as the Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory provisions including Section 12 of the Act.



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

7. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.

8. A request letter alongwith a copy of the order be sent to Hon'ble Mr. Justice (Retd.) Vivek Puri, a former Judge of this Court.

20.08.2025

(JASGURPREET SINGH PURI)

rakesh

JUDGE

Whether speaking : Yes/No
Whether reportable : Yes/No