

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Arbitration Case No. 53 of 2013

Date of Decision: 10.01.2014

M/s Bansal Construction Co.

..Petitioner

Versus

State of Haryana and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE SANJAY KISHAN KAUL, CHIEF JUSTICE.**

Present : Mr. Sumit Gupta, Advocate, for the petitioner.  
Mr. Ajay Gupta, Addl. Advocate General, Haryana,  
for the respondents

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**SANJAY KISHAN KAUL C.J.** (Oral)

It is not in dispute that no Arbitrator was appointed by the respondents in terms of the Arbitration Clause even till the service of notice in the present petition and thus the respondents have lost the right to appoint the Arbitrator. It is thereafter that the respondents appointed Mr. R.P.Garg, Superintending Engineer, Public Health, Hisar, as an Arbitrator, not acceptable to the petitioner.

After some arguments, it is agreed that an appropriate method to resolve the controversy would be to have the arbitration under the aegis of Mr. O.P.Goyal, Superintending Engineer, Public Health, Sonapat, who is at present posted in Sonapat and that the arbitration will be concluded by him irrespective of his transfer/promotion.

At the cost of repetition, it is stated that this is agreed arrangement as proposed by both the learned counsels for the parties. The Arbitrator will make an endeavour to conclude the arbitration proceedings preferably within six months from today. Naturally, the Arbitrator appointed by the respondents would not now proceed.

The petition is disposed of on agreed terms aforesaid leaving the parties to bear their own costs.

(SANJAY KISHAN KAUL)  
CHIEF JUSTICE

**10.01.2014**  
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