

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDI GARH

ARB-141-2016
Date of decision: - 30.09.2016

M/s Subhash Infraengineers Pvt. Ltd.

... Petitioner

Versus

Haryana Power Generation Corporation, Panchkula

... Respondent

CORAM: HON'BLE MR. JUSTICE S. J. VAZIFDAR, CHIEF JUSTICE

Present: - Mr. Gaurav Mohunta, Advocate,
and Mr. Gaurav Gogna, Advocate,
for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

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S. J. VAZIFDAR, C. J. (ORAL)

This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 for the appointment of an arbitrator.

2. The parties had admittedly entered into an agreement which contains an arbitration clause. The respondent's Managing Director is entitled to nominate an arbitrator. The respondent has, however, not nominated an arbitrator despite the petitioner's letter invoking the arbitration clause. The respondent has, therefore, forfeited its right to nominate an arbitrator.

3. The petition is, therefore, disposed of by appointing Mr. M.K. Bansal, a retired District and Sessions Judge, Haryana, as the sole arbitrator.

(S. J. VAZIFDAR)
CHIEF JUSTICE

30.09.2016

Amogh

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