

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

CM-7296-CII-2019 in/and

ARB-272-2018 (O&M)

Date of decision:- 29.03.2019

Rajeev Kumar Goel, Govt. Contractor

...Applicant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE

Present:- Mr. P.S. Rana, Advocate,
for the applicant.

Mr. Deepak Balyan, Additional Advocate General, Haryana,
for the respondents.

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KRISHNA MURARI, C.J. (ORAL)

CM-7296-CII-2019

The application for pre-ponement is allowed.

The main application is taken on board.

ARB-272-2018

This is an application under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an arbitrator.

2. Learned counsel for the parties are not at issue that there exists a contract between the parties containing an arbitration clause and some dispute has arisen which needs to be resolved through the process of arbitration and conciliation in accordance with the terms of the agreement.

3. Mr. Deepak Balyan, learned Additional Advocate General, Haryana, appearing for the respondents, points out that during the pendency of the proceedings, an arbitrator, who is a serving officer of the same department, has been appointed on 13.02.2019. However, since the appointment has been made

after the jurisdiction of this Court was invoked, the respondents lost their right to appoint an arbitrator and, thus, the appointment is of no avail.

4. There is no serious dispute or difference between the parties that an independent arbitrator is to be appointed by this Court. Accordingly, I hereby appoint Mr. B.M.Bedi, a retired District Judge, Haryana (# 22, Sector 4, Panchkula, M.No. 8054381862, 0172-2583111) to act as an arbitrator to settle the disputes and differences between the parties. The fees shall be as per the Chandigarh Arbitration Centre (CAC) Rules, 2018.

5. The application accordingly stands disposed of.

(KRISHNA MURARI)
CHIEF JUSTICE

29.03.2019

Anodh

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