



ARB-100-2025

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

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ARB-100-2025

Date of Decision: 30.07.2025

M/s ME-RG (JV)

...Applicant

Versus

Jalandhar Smart City Limited

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Rahul Srivastava, Advocate for the applicant

Mr. Ashok Bazaz, Advocate for the respondent
(through video conferencing)

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 letter dated 09.06.2021 (Annexure P-3). Thereafter, a contract was executed between the parties. There is an arbitration clause in Conditions of Contract. A dispute erupted between the parties. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.
3. Learned counsel for the respondent submits that respondent has repudiated the contract on the ground that applicant has not submitted



requisite bank guarantees, thus, matter cannot be referred to Arbitral Tribunal.

4. From the perusal of arbitration agreement, it is evident that matter, at the first instance, was required to be referred to Executive Engineer. The applicant referred the matter to Executive Engineer who did not respond. The applicant served notice invoking arbitration clause. The applicant has fully complied with requirements of Clause 27 of Conditions of Contract.

5. The issues raised by the respondent needs to be adjudicated by Arbitral Tribunal.

6. 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.

7. Mr. Justice Adarsh Kumar Goel, Former Judge of Supreme Court, residing at C-2/24, Safdarjung Development Area, New Delhi-110016, Mobile No.9910213040 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.

8. The parties at the first instance will appear before the Arbitrator on 14.08.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

9. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.

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10. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

11. 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.

12. A request letter along with copy of this order be sent to Mr. Justice Adarsh Kumar Goel.

(JAGMOHAN BANSAL)
JUDGE

30.07.2025*Mohit Kumar*

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