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

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Date of Decision: 24.09.2025

M/s ESS AAR Builders

...Applicant

Versus

National Fertilizers Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Rohan Markanda, Advocate and
Ms. Chanvi, Advocate for the applicant

Mr. Ashwani Talwar, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11 of the Arbitration and Conciliation Act, 1996 (for short '1996 Act'), the applicant is seeking appointment of an Arbitrator.
2. The applicant was issued work order dated 13.08.2020 by the respondents. Thereafter, an agreement dated 10.10.2020 was executed between the parties. A dispute erupted between the parties. There is an arbitration clause in the aforesaid work order. The applicant served notice upon the respondents seeking resolution of dispute through Arbitral Tribunal but to no avail.
3. Learned counsel for the respondents submits that the respondents have already made full and final payment to the applicant still it is unnecessarily dragging them into litigation.
4. The issue raised by the respondents needs to be adjudicated by Arbitral Tribunal.



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5. 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.

6. Ms. Santosh Snehi Mann, District and Sessions Judge (Retd.),, residing at Flat No. 124-B, Type V, PGI Flats, Sector 24-A, Chandigarh-160023, Mobile No.9910384743 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.

7. The parties at the first instance will appear before the Arbitrator on 10.10.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

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

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

10. 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.

11. A request letter along with copy of this order be sent to Ms. Santosh Snehi Mann.

12. Pending application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

24.09.2025
Mohit Kumar

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