

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDI GARH

ARB-131-2015 (O&M)

Date of decision: - 01.04.2016

Sukhvinder Singh

... Petitioner

Versus

State of Haryana and another

... Respondents

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

Present: - Mr. Ashish Rawal, Advocate,
for the petitioner.

Mr. Rahul Dev Singh, Deputy Advocate General,
Haryana.

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S. J. VAZIFDAR, A. 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 agreement and the arbitration clause contained therein are admitted. The petitioner agrees not to raise any claim under clause 25A(5)(a). In other words, the petitioner will not raise any dispute relating to the levy of compensation as liquidated damages which has already been referred to the Superintending Engineer and is being heard or/and has been finally decided by the Superintending Engineer-in-Charge of the work.

3. The petitioner alleges to have invoked the arbitration clause on 25.11.2012. The receipt of the letter is denied by the respondents. In any event, the petitioner addressed a further letter dated 01.09.2014 also invoking the

arbitration clause. The respondents failed to appoint an arbitrator even to date.

4. In these circumstances, the petition is disposed of by appointing Shri B.S. Mehandiratta, a former District & Sessions Judge, Punjab as the sole arbitrator.

5. The venue of arbitration shall be the Chandigarh Arbitration Centre.

(S. J. VAZIFDAR)
ACTING CHIEF JUSTICE

01.04.2016

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