

(2011) 03 P&H CK 0792

High Court Of Punjab And Haryana At Chandigarh

Case No: Arbitration Case No. 89 of 2010

Sandhu Builders Pvt. Ltd.

APPELLANT

Vs

National Building Construction
Corporation Ltd.

RESPONDENT

Date of Decision: March 16, 2011

Acts Referred:

- Arbitration and Conciliation Act, 1996 - Section 11(6)

Hon'ble Judges: Hemant Gupta, J

Bench: Single Bench

Judgement

Hemant Gupta, J.

The Petitioner(s) have sought appointment of an Arbitrator u/s 11(6) of the Arbitration & Conciliation Act, 1996 in respect of the various contracts awarded to the Petitioner(s) in the years 1996, 1998 & 1999. After the filing of the present petitions, the Respondent has appointed an Arbitrator on 09.06.2010 to adjudicate upon the disputes arising out of the Contract between the parties.

2. Learned Counsel for the Petitioner(s) contends that the Arbitrator should fix the venue of the arbitration proceedings at Chandigarh or in the State of Punjab, as the works were executed in the State of Punjab.

3. Mr. Chugh, learned Counsel for the Respondent, stated that the Respondent shall not have any objection in conduct of proceedings at Chandigarh or in the State of Punjab, but it is for the Arbitrator to fix the venue of the proceedings and it shall be open to the Petitioner(s) to make such request to the Arbitrator to fix the venue of the proceedings.

4. Keeping in view the fact that an Arbitrator has been appointed to adjudicate upon the disputes between the parties, the present petitions are disposed of with liberty to the Petitioner(s) to submit an appropriate request to the Arbitrator for conduct of arbitration proceedings at Chandigarh or in the State of Punjab.