

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

Arbitration Case No. 246 of 2025

Date of decision: 28.11.2025

M/s Prem Builders India Pvt. Ltd. ...Petitioner

Versus

State of H. P. & Anr. ...Respondents

Coram

The Hon'ble Mr. Justice G. S. Sandhawalia, Chief Justice.

Whether approved for reporting?

For the Petitioner : Ms. Sirshti Verma, Advocate.

For the Respondents: Mr. S. D. Vasudev, Deputy Advocate General.

G. S. Sandhawalia, Chief Justice (Oral)

The present petition has been filed for appointment of an Arbitrator under Section 11(6) of the Arbitration and Conciliation Act, 1996, for the dispute arising out of work of Solan Rajgarh Bye Pass Road measuring Km. 0/00 to 5/410.

2. The requisite notice dated 08.11.2024 was sent for appointment of an arbitrator under Clause 25 of the contract agreement. Since, the same has not been responded to, the present petition has been filed.

3. Counsel for the State has admitted that there is an agreement as such for resolving the dispute by way of arbitration.

4. Accordingly, the application is allowed and Justice Rakesh Kumar Garg, (Retd.) Punjab & Haryana High Court, R/o

417, Sector 35A, Chandigarh, Mob. No. 09780008133 is appointed as Arbitrator to adjudicate the dispute between the parties, after his disclosure in writing is obtained in terms of Section 11(8) of the Act and only after receipt thereof, his appointment, as an Arbitrator, shall come into force.

6. On his giving consent to arbitrate the dispute between the parties as an Arbitrator, Justice Rakesh Kumar Garg, (Retd.), shall enter into reference, and pass an award in accordance with law.

7. Copy of this order be furnished to the learned counsel for the parties and also be furnished to the learned Arbitrator. The learned Arbitrator so appointed shall be entitled to fee as per stipulation contained in 4th Schedule appended to the Arbitration and Conciliation Act, 1996.

8. Accordingly, the petition is disposed of, so also pending applications, if any.

(G. S. Sandhawalia)
Chief Justice

28th November, 2025
(sanjeev)