

Arb. P. No. 02/2019

STATE OF SIKKIM THROUGH SECRETARY

PETITIONER (S)

VERSUS

KARCHEN LACHUNGPA

RESPONDENT (S)

For Petitioner : Dr. Doma T. Bhutia, Addl. Advocate General
Mr. S.K. Chettri, Govt. Advocate

For Respondent : Ms. Manita Pradhan, Advocate.

Date: 08/07/2021**CORAM :**

HON'BLE MR. JUSTICE JITENDRA KUMAR MAHESHWARI, CJ.

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This application under Section 11 (6) of the Arbitration and Conciliation Act, 1996 has been filed by the State of Sikkim seeking appointment of an Arbitrator with respect to a Work Order O.O. No.179/GOS/HRDD(EW)/2010-11/186(ACE) dated 03.12.2010 in favour of the respondent. The said Work Order was for the "Construction of Academic cum Administrative Block for Polytechnic at Mangshilla, North Sikkim" the dispute arose to which the appointment of the Arbitrator is sought for.

Initially the applicant as well as non-applicant, both proposed different Arbitrators by filing separate applications as revealed from the Order dated 28.06.2021. As the Arbitrators are proposed differently, however, the Court proposed the name of Hon'ble Mr. Justice S.P. Wangdi, former Judge of this High Court and former Judicial Member, National Green Tribunal, who is locally situated for appointment.

Learned counsel for the applicant as well as non-applicant do not have any objection for such appointment. In consequence thereto, the consent of Justice S.P. Wangdi was called.

Hon'ble Mr. Justice S.P. Wangdi sent the consent to the Registrar General vide letter dated 30.06.2021.

HIGH COURT OF SIKKIM
Record of Proceedings through Video Conferencing

In view of the aforesaid, the subject matter as involved to which the appointment of an Arbitrator is sought for, by the consent of both the parties, Hon'ble Mr. Justice S.P. Wangdi is appointed as an Arbitrator, who shall look into the terms of the Agreement and the Work Order and the issues involved and may pass the Award in accordance with law.

Arb. P. No.02/2019, accordingly, stands disposed of.

The two applications, i.e. IA No.02/2021 and No.03/2021 be treated as disposed of in view of the aforesaid order.

Chief Justice