

Court No. - 46

Case :- ARBITRATION AND CONCILI. APPL.U/S11(4) No. - 94 of 2022

Applicant :- Balaji Cables Pvt. Limited

Opposite Party :- The Chief General Manager Telecom U.P.
West Bsnl

Counsel for Applicant :- Satish Chandra Dubey

Counsel for Opposite Party :- B.K.Singh Raghuvanshi, Suneel Kumar Rai

Hon'ble Ashwani Kumar Mishra,J.

This application is filed under Section 11 of the Arbitration and Conciliation Act, 1996 for appointment of an arbitrator, on the premise that there exists an arbitration agreement between the parties and on account of accrual of dispute such arbitration clause has been invoked.

Applicant's contention in that regard is not disputed by the counsel for the opposite party. What is objected to by the opposite party is the claim of the applicant, on merits, which is not required to be examined by this Court, at this stage.

Necessary ingredients to invoke jurisdiction of this Court under Section 11 of the Arbitration and Conciliation Act is shown to arise in the facts of the present case.

In that view of the matter, Mr. A.K. Agarwal, Retired District Judge, Resident of C-15 Ansal Sushant City, Delhi Dehradun Bypass Road, Meerut, UP, Mobile No.9793093054, is appointed as an Arbitrator to enter upon the reference and adjudicate the dispute in accordance with provisions of Arbitration and Conciliation Act, 1996.

The Arbitrator shall be entitled to fees, in accordance with the provisions of fourth schedule inserted by Act No.3 of 2016. The expenses shall be borne equally by the parties.

The application, accordingly, stands disposed of.

Order Date :- 19.10.2023

Anil