

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Arbitration Case No.117 of 2014 (O&M)
DATE OF DECISION: 14.08.2015

M/s Nanu Mal Naresh Kumar

....Applicant

versus

M/s Kamdhenu Nutrients Pvt. Ltd. and others

.....Respondents

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

Present: Mr. Vikram Singh, Advocate for the applicant

Mr. D.K. Singal, Advocate for the respondent

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S.J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral):

This is an application under Section 11 of the Arbitration and Conciliation Act, 1996, for appointment of a sole Arbitrator.

2. The parties had entered into an agreement which admittedly contains an arbitration clause. Disputes and differences have arisen between the parties. The amount in dispute is to the tune of about Rs.22 lacs. Clause 17 of the agreement providing for resolution of dispute through arbitration proceedings reads as under:

"17. That any dispute if arise between the parties that will be settled through the process of Arbitration and it is also agreed between the parties that the Arbitration proceedings would took (sic) place in the jurisdiction of Panchkula, Haryana only. It is also agreed between the parties that these arbitration proceedings would be single arbitrator proceedings and it is necessary that the appointed arbitrator should be a retired Session Judge."

The aforesaid clause provides for appointment of a retired Sessions Judge as an Arbitrator. The dispute as to whether the agreement was

validly executed or not must be left for the decision of the Arbitrator.

3. The application is disposed of by appointing Shri O.P. Gupta, retired District & Sessions Judge (Address: #901, Sector 8, Panchkula), as a sole Arbitrator.

14.08.2015
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(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE