

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Arbitration Case No. 5 of 2015

Date of Decision:29.05.2015

Raman Kumar

..Petitioner

versus

M/s DLF Homes Panchkula Pvt. Ltd.

..Respondent

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

Present : Ms. Charu Sharma, Advocate, for the petitioner.
Mr. Rajeev Anand, Advocate, for the respondent.

S.J.VAZIFDAR A.C.J. (Oral)

This is an application under section 11(6) of the Arbitration & Conciliation Act, 1996 for appointment of sole Arbitrator to adjudicate upon the disputes between the parties.

2. The parties had entered into an agreement and clause 34 whereof reads as under:-

“The applicant agrees that in the event of all or any disputes arising out of or relating to or concerning or touching this application including the interpretation and validity of the terms thereof shall be referred by any party to a sole arbitrator who shall be appointed by the Company and whose decision shall be final and binding upon the parties. The arbitration proceedings shall be governed by the Arbitration & Conciliation Act, 1996 or any statutory amendments/modifications thereof for the time being in force. The arbitration proceedings shall be held at an appropriate location to be decided by the sole arbitrator. The applicant shall have no objection to such appointment even if the person so appointed, as the sole arbitrator, is an employee or advocate of the Company or is otherwise connected to the Company and the applicant confirms that notwithstanding such relationship/connection, the applicant shall have no

doubts as to the independence of impartiality of the sole arbitrator. The Courts at Panchkula alone and the Punjab & Haryana High Court at Chandigarh shall have the jurisdiction.”

3. The applicant had called upon the respondents to appoint an Arbitrator. The applicant, however, mentioned the name of the Arbitrator, which he prima-facie was not entitled to. However, the respondents did not reply to the said letter. They have not appointed an Arbitrator even as on date.

4. In the circumstances, the petition is disposed of by appointing Mr. B.M.Bedi, District & Sessions Judge (Retd.) # 22, Sector-4, Panchkula, (Mobile No. 08054381862) as sole Arbitrator to adjudicate upon the disputes between the parties.

29.05.2015
'ravinder'

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE