IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

ARB-81-2015 (O&M)
Date of decision:- 30.10.2015

M/s Aggarwal Rice Mill

...Petitioner

Versus

Managing Director, Haryana State Ware Housing Corporation, Panchkula and another

...Respondents

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

Present: Mr. Robin Dutt, Advocate,
for the petitioner.

* * * *

S.J. VAZIFDAR, A.C.J. (ORAL)

This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 for the appointment of an arbitrator.

2. The parties entered into a milling contract. Clause 23 thereof contained an arbitration agreement. The disputes and differences were to be referred to the Managing Director or any person to be appointed by him in that behalf.

3. The disputes and differences having arisen between the parties, the petitioner by a letter dated 18.09.2014 invoked the arbitration clause. The respondents by their reply dated 21.10.2014 denied the allegations and refused to appoint an arbitrator. The petition was filed on 11.02.2015. The respondents now state that they have appointed an arbitrator on 02.09.2015. In these circumstances, the respondents have forfeited their right to appoint an arbitrator.

4. The petition is, therefore, disposed of by appointing Mr. Justice R.P. Nagrath, former Judge of this Court as the sole arbitrator.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

30.10.2015
Amodh

AMODH SHARMA
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I attest to the accuracy and
authenticity of this document
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