

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

ARB-102-2015 (O&M)

Date of decision:- 22.01.2016

M/s Raheja Developers Limited

...Petitioner

Versus

Sohan Arora and others

...Respondents

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

Present: Mr. Akshay Bhan, Senior Advocate,
with Mr. Alok Mittal, Advocate,
for the petitioner.

Mr. Vikas Bahl, Senior Advocate,
with Mr. Ramandeep Singh, Advocate,
for respondents No. 5 to 7.

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

This is a petition for the appointment of an arbitrator.

2. The petitioner and respondents No. 1 to 6 had entered into a collaboration agreement dated 12.04.2008 for the development of a property owned by respondents No. 1 to 6. Clause 46 thereof contains an arbitration agreement. Thereafter, respondents No. 1 to 4 sold their right, title and interest in the land to respondent No. 7. Accordingly, a supplementary collaboration agreement dated 30.07.2009 was entered into between the petitioner and all the respondents. Clause 7 thereof states that the parties to the supplementary collaboration agreement dated 30.07.2009 are bound by the terms and conditions of the collaboration agreement dated 12.04.2008.

3. Considering the documents as a whole, it is obvious that the arbitration agreement contained in clause 46 of the collaboration agreement stood incorporated in the supplementary collaboration agreement.

4. Disputes and differences have arisen between the parties. Each of the parties had suggested the names of the arbitrators which the other party was not agreeable to.

5. In these circumstances, the petition is disposed of by appointing Mr. Justice Permod Kohli, a former Chief Justice of the Sikkim High Court, as the sole arbitrator.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

22.01.2016
Amodh