

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDI GARH

ARB-192-2015 (O&M)
Date of decision: - 27.05.2016

M/s Goldenary Services

... Petitioner

Versus

National Institute of Technology, Kurukshetra and
others.

... Respondents

CO-AM HON'BLE MR. JUSTICE S. J. VAZIFDAR, ACTING CHIEF JUSTICE

Present:- Mr. Rajbir Sehrawat, Advocate,
for the petitioner.

Mr. Amarjit Singh Virk, Advocate,
for the respondents.

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

This is a petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 for the appointment of an arbitrator.

2. The parties had entered into an agreement on 01.08.2014 for providing security services. Clause 18 thereof contains an arbitration agreement. The arbitrator is to be appointed by the respondents' Director. The petitioner had invoked arbitration by a notice dated 05.08.2015. As the respondents did not appoint an arbitrator, the petitioner filed this petition on 12.10.2015. It is only thereafter i.e. after a period of thirty days from the date of notice invoking arbitration and the filing of the petition that the respondents appointed an arbitrator on 30.10.2015. The respondents had by then forfeited their right to appoint an arbitrator in terms of clause 18 of the agreement.

3. The petition is, therefore, disposed of by appointing Mr. S. S. S. Dahiya, a retired District and Sessions Judge, Haryana, as the sole arbitrator.

(S. J. VAZI F DAR)
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27. 05. 2016

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