

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

ARB No.67 of 2016 (O&M)
Date of Decision : 09.09.2016

Kapil Chaudhary

..... Petitioner

versus

M/s H.D.B. Financial Services and others

..... Respondents

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

Present : Mr. Sandeep Saini, Advocate for
Mr. Gaurav Jindal, Advocate
for the petitioner.

Mr. Chirag Wadhwa, Advocate for the respondents.

S.J.VAZIFDAR, CHIEF JUSTICE (Oral)

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

The arbitration agreement is admitted. The respondents were entitled to nominate the Arbitrator. The respondents have, however, forfeited the right to appoint an arbitrator.

The petitioner invoked the arbitration agreement on 19.12.2015 and filed the present petition in March, 2016. The respondents nominated the arbitrator only thereafter on 14.07.2016. The respondents, therefore, forfeited the right to appoint an arbitrator. The arbitration is to be held in Mumbai.

Mr. Sharan Jagtiani, an advocate practicing in the Bombay High

Court is appointed as the sole arbitrator.

The arbitrator, however, shall not enter upon the reference upto 21.10.2016 to enable the parties to settle the matter.

Considering that the claim is relatively small, the parties seek to settle the disputes through mediation in the first instance. The parties shall, therefore, appear before the Mediation Centre of this Court at 11.00 A.M. on 23.09.2016. in the first instance and, thereafter as directed.

The petition is, accordingly, disposed of.

September 09, 2016
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(S.J. VAZIFDAR)
CHIEF JUSTICE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No