

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDI GARH

ARB- 94- 2016

Date of decision: - 16.09.2016

Ms Lal & Company

... Petitioner

Versus

Municipal Corporation, Faridabad

... Respondent

CORAM HONBLE MR. JUSTICE S. J. VAZIFDAR, CHIEF JUSTICE

Present :- Mr. Vinod S. Bhardwaj, Advocate,  
for the petitioner.

None for the respondent.

\* \* \* \*

S. J. VAZIFDAR, 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 had entered into an agreement which contains an arbitration clause. The sole arbitrator was to be nominated by the Commissioner of the respondent.

3. The petitioner issued a notice for conciliation dated 17.02.2016. Thereafter, the petitioner invoked the arbitration clause by a notice dated 21.03.2016. The petition was filed on 24.04.2016. The respondent has still not appointed an arbitrator. The respondent has, therefore, forfeited its right to nominate an arbitrator.

4. The petition is disposed of by appointing Shri K.C. Sharma, a former District and Sessions Judge, Haryana, as the sole arbitrator. The fees shall be as per the Chandigarh Arbitration Centre (CAC) (Administrative Cost and Arbitrators' Fees) Rules, 2014.

( S. J. VAZIFDAR)  
CHIEF JUSTICE

16.09.2016

Amodh

|                           |         |
|---------------------------|---------|
| Whether speaking/reasoned | Yes/ No |
| Whether reportable        | Yes/ No |