

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

ARB-162-2017 (O&M)

Date of decision:- 01.12.2017

M/s Lajja Rice & Oil Mills

...Petitioner

Versus

Managing Director, Director Food and Supply Department,
Haryana and another.

...Respondents

ARB-163-2017 (O&M)

M/s Om Rice Mills

...Petitioner

Versus

Managing Director, Director Food and Supply Department,
Haryana and another.

...Respondents

ARB-165-2017 (O&M)

M/s Shiv Shankar Rice and General Mills

...Petitioner

Versus

Managing Director, Director Food and Supply Department,
Haryana and another.

...Respondents

ARB-167-2017 (O&M)

M/s Gambhir Rice and General Mills

...Petitioner

Versus

Managing Director, Director Food and Supply Department,
Haryana and another.

...Respondents

ARB-204-2017 (O&M)

M/s Markandy Rice Mill

...Petitioner

Versus

Managing Director, CONFED, Panchkula and another.

...Respondents

ARB-205-2017 (O&M)

M/s Des Raj Rice Mills

...Petitioner

Versus

Managing Director, Director Food and Supply Department,
Haryana and another.

...Respondents

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

Present:- Mr. Robin Dutt, Advocate,
for the petitioners.

Mr. Deepak Balyan, Additional Advocate General, Haryana,
for the respondents in ARBs-162, 163, 165, 167 & 205-2017.

Mr. Padamkant Dwivedi, Advocate,
for the respondents in ARB-204-2017.

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

Written statements filed on behalf of the respondents in ARBs-162, 163, 165, 167 & 205-2017 in Court today are taken on record.

These petitions are under Section 11 of the Arbitration and Conciliation Act, 1996 for the appointment of an arbitrator.

2. The parties had entered into a contract which contains an arbitration clause. The respondents contend that they have rightly levied penalty upon the petitioners and, therefore, withheld certain amount. They have also raised several contentions, but only on merits. These are issues which must be left to the decision of the arbitrator.

3. In these circumstances, the petitions are disposed of by appointing Mr. Justice Darshan Singh, a former Judge of this Court, as the sole arbitrator in each of them. It is clarified that each petition shall constitute a separate reference and the learned arbitrator shall pass separate awards. The proceedings shall be held at the Chandigarh Arbitration Centre. The fees shall be as per the Chandigarh Arbitration Centre (CAC) (Administrative Cost and Arbitrators' Fees) Rules, 2014.

(S.J. VAZIFDAR)
CHIEF JUSTICE

01.12.2017

Amodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No