

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDI GARH

APB-2-2017 (C&M)
Date of decision:- 05.05.2017

Ms Sunrise Integrated Facility Pvt. Ltd., Panchkula

... Petitioner

Versus

Chandigarh Industrial & Tourism Development Corporation
Limited.

... Respondent

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

Present:- Dr. Ashwini Kumar Bansal, Advocate,
for the petitioner.

Mr. Harsh Aggarwal, Advocate,
for the respondent.

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

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

2. The parties had entered into a contract which admittedly contains an arbitration agreement. In view of the amendment to the Act, the Managing Director of the respondent cannot act as an arbitrator. Whether the respondent was guilty of any breaches and whether the petitioner rescinded the contract justifiably or not are issues to be decided in arbitration.

3. The petition is, therefore, disposed of by appointing Mr. B.R. Bansal, a retired Additional District Judge, Haryana, as the sole arbitrator. The fees shall be as per the Chandigarh Arbitration Centre (CAC) (Administrative Cost and Arbitrators' Fees) Rules, 2014. The venue shall be the Chandigarh Arbitration Centre.

(S. J. VAZIFDAR)
CHIEF JUSTICE

05.05.2017

Amodh

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