

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-210-2017 (O&M)
Date of decision:- 15.12.2017

M/s Sundram Electricals Pvt. Ltd.
...Petitioner
Versus
Uttar Haryana Bijli Vitran Nigam Ltd., Panchkula and others
...Respondents

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

Present:- Mr. Vivek Khatri, Advocate,
for the petitioner.

None for the respondents.

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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 contains an arbitration agreement.

3. Disputes and differences having arisen between the parties, the petitioner by its letter dated 27.06.2017 (Annexure P-3) invoked the arbitration agreement. The respondents have not appointed an arbitrator. In any event, the arbitration clause provides for the sole arbitration of the Managing Director of the respondents or an officer appointed by him which is not permissible in view of the amended Act.

4. The petition is, therefore, disposed of by appointing Mr. Justice Darshan Singh, a former Judge of this Court, as the sole arbitrator. The fees shall be as per the Chandigarh Arbitration Centre (CAC) (Administrative Cost and Arbitrators' Fees) Rules, 2014. The parties have agreed that the venue shall be the Chandigarh Arbitration Centre.

(S.J. VAZIFDAR)
CHIEF JUSTICE

15.12.2017

Amodh

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