

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

ARB-242-2016 (O&M)

Date of decision:- 15.09.2017

M/s Accurate Transformers Ltd.

...Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam Limited, Hisar and
another

...Respondents

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

Present:- Mr. Ashwani Talwar, Advocate,
Ms. Kirti Bhardwaj, Advocate,
Mr. Akshay Bansal, Advocate,
for the petitioner.

Mr. Anil Kumar Rana, Advocate,
for the respondents.

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

This is a petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 for the appointment of an arbitrator.

2. The parties had entered into a contract which admittedly contains an arbitration clause. The disputes and differences are to be referred to the sole arbitration of the Managing Director of respondent No. 1 or an officer appointed by him as his nominee. The respondent No. 1 had appointed an officer earlier who upon vacating the office ceased to act as an arbitrator. Thereafter, another officer was appointed who also vacated the office and thereupon ceased to act as an arbitrator. Even assuming that the respondents were entitled to appoint an arbitrator thereafter they did not do so till the

expiry of thirty days from the date of a notice to appoint an arbitrator.

3. The petition is, therefore, disposed of by appointing Mr. Justice Aftab Alam, former Judge of the Supreme Court of India, as the sole arbitrator. The parties have agreed that the venue shall be the Chandigarh Arbitration Centre.

(S.J. VAZIFDAR)
CHIEF JUSTICE

15.09.2017
Amodh

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