

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

ARB-288-2016 (O&M)

Date of decision:- 06.10.2017

The Mahalekhakar Employees Coop. Group Housing Society
Limited, Panchkula

...Petitioner

Versus

Haryana Urban Development Authority, Panchkula and
others

...Respondents

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

Present:- Mr. Om Parkash Sharma, Advocate,
for the petitioner.

Mr. Vishal Garg, Advocate,
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 for the appointment of an arbitrator.

2. Written statement filed on behalf of the respondents in Court today is taken on record.

3. The respondents allotted a plot in favour of the petitioner. Under the agreement, the petitioner was liable to pay the enhanced price. It appears that there were several objections filed by various allottees raising a grievance regarding the extent of the enhancement. A Committee was formed pursuant to the orders of this Court to determine the extent of the enhancement. The Committee has done so. The petitioner, however, disputes the Committee's decision.

4. The effect of the Committee's decision and of the orders of this Court pursuant to which the same was made is an

issue that the arbitrator can always decide. It cannot on account thereof be said that there are no disputes between the parties.

5. The petition is, therefore, disposed of by appointing Mr. Justice A.L. Bahri, a retired 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

06.10.2017

Amodh

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