

CWP Nos.4163 of 2014,
CWP Nos.13564, 13565 and 13643 of 2015
CWP No.8168 of 2017

-1-

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

1. CWP No.4163 of 2014
Date of decision : 18.05.2017

M/s Selvel Media Services Pvt. Ltd.

...Petitioner

Versus

The Municipal Corporation, Chandigarh and others

...Respondents

2. CWP No.13564 of 2015
Date of decision : 18.05.2017

M/s Selvel Media Services Pvt. Ltd.

...Petitioner

Versus

The Municipal Corporation, U.T. Chandigarh and others

...Respondents

3. CWP No.13565 of 2015
Date of decision : 18.05.2017

M/s Selvel Media Services Pvt. Ltd.

...Petitioner

Versus

The Municipal Corporation, U.T. Chandigarh and others

...Respondents

4. CWP No.13643 of 2015
Date of decision : 18.05.2017

M/s Selvel Media Services Pvt. Ltd.

...Petitioner

CWP Nos.4163 of 2014,
CWP Nos.13564, 13565 and 13643 of 2015
CWP No.8168 of 2017

-2-

Versus

The Municipal Corporation, U.T. Chandigarh and others

...Respondents

5.

CWP No.8168 of 2017
Date of decision : 18.05.2017

M/s Outdoor Communication Pvt. Ltd.

...Petitioner

Versus

The Municipal Corporation, Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. Chetan Mittal, Sr. Advocate with
Mr. Mohinder S. Nain, Advocate for the petitioner.

Mr. Suvir Sehgal, Advocate and
Ms. Deepali Puri, Advocate
for the respondent-Municipal Corporation.

Mr. Aditya Grover, Advocate for the applicant.

AMIT RAWAL, J. (Oral)

This order of mine shall dispose of aforementioned five writ petitions.

There is dispute between the petitioner and Municipal Corporation with regard to the charging of the advertisement fees/tax.

Mr. Chetan Mittal, learned Senior counsel assisted by Mr. Mohinder S. Nain, learned counsel appearing on behalf of petitioner submits that contract does not envisage the charging of the advertisement fees/tax

and nor leviable in law which has been disputed and refuted by Mr. Suvir Sehgal and Ms. Deepali Puri, Advocate. However, concededly agreement between the parties contains the resolution of dispute through arbitration.

In my view, the parties shall be at liberty to seek the adjudication of the dispute with regard to the aforementioned controversy by seeking appointment through an independent arbitrator. Both the parties were conceptualized about the aforementioned issue on the last date of hearing.

Today Mr. Mohinder S. Nain, Advocate on instructions from his client and Mr. Suvir Sehgal assisted by Ms. Deepali Puri, Advocate, on the basis of the objection taken in the writ petition do not dispute the appointment of the independent arbitrator.

Accordingly, I hereby appoint former Judge of this Court i.e. Hon'ble Mr. Justice V.K. Jhanji, as an Arbitrator subject to his convenience and acceptance to the appointment. On receipt of acceptance, Hon'ble Arbitrator shall enter into reference by calling upon the parties to adjudicate the dispute. Fixing of the fees and venue shall be at the discretion of the Hon'ble Arbitrator. The Hon'ble Arbitrator may make endeavour to decide the issue as expeditiously as possible, preferably within a period of six months.

In order to seek consent, Registry is directed to send a letter to Hon'ble Mr. Justice V.K. Jhanji, former Judge of this Court.

There is already interim order regarding taking of coercive measures. That order shall continue till the petitioner files reference within a

CWP Nos.4163 of 2014,
CWP Nos.13564, 13565 and 13643 of 2015
CWP No.8168 of 2017

-4-

period of one month from today and also seek an interim relief under Section 16 of the Act, in essence, interim direction as directed by the Court will be only till the adjudication of the interim application by the arbitrator.

Accordingly, present writ petitions are disposed of.

In view of the disposal of the present writ petitions, application for impleadment is also rendered infructuous.

18.05.2017

Pawan

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No