

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

Sr. No.213

ARB-310-2018 (O&M)

Date of decision: 06.12.2019

Ram Avtar Gupta

....Petitioner

versus

The Haryana State Co-op Supply and Marketing Federation Limited and
another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Arun Gupta, Advocate
for the petitioner.

Mr. S.K. Mahajan, Advocate
for respondent No.1.

Mr. Pankaj Mulwani, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short – the Act) for appointment of an Arbitrator in a domestic commercial dispute.

The petitioner and the respondents entered into an agreement dated 30.08.2012 for construction of 5000 Mts Capacity Godowns (without roofing) with cement concrete road in HAFED complex at Nilokheri, District Karnal. Admittedly, as per clause 25 of the agreement disputes between the parties were to be settled through Arbitration.

On disputes having arisen between the parties, in terms of the afore-referred clause 25 of the agreement between them, the petitioner wrote to the respondents for appointment of an Arbitrator. However, no such Arbitrator was appointed occasioning the filing of the present petition.

After hearing learned counsel for the parties and with their

consent, Sh. R.P. Bhasin, District and Sessions Judge (Retd.), is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Sh. R.P. Bhasin under Section 12 of the Act with regard to his independence and impartiality to settle the dispute between the parties.

The Arbitrator is requested to complete the proceedings within the time limit specified under Section 29A of the Act.

The Arbitrator shall be paid fee in accordance with Fourth Schedule of the Act, as amended.

As per agreement expressed by learned counsel for the parties, for the sake of the convenience of their respective clients as also of the Arbitrator, the venue of the Arbitration shall be at Panchkula, where Sh. R.P. Bhasin resides, or at any other place convenient to all concerned.

A copy of the this order be forwarded to Sh. R.P. Bhasin, District and Sessions Judge (Retd.) at the given address:

H.No.538,
Sector-7,
Panchkula.

After seeking the convenience of the Arbitrator, the parties are directed to appear before the Arbitrator on 13.12.2019 at 11 A.M. or any other date suitable to all concerned.

The matter is disposed of in the above terms.

(DEEPAK SIBAL)
JUDGE

December 06, 2019
Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No