

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 207

ARB-1-2018

Date of decision : 16.01.2020

M/s Ganesh Electrical Engineers

..... Petitioner

VERSUS

Bharat Sanchar Nigam Ltd.
and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.P.S.Rana, Advocate, and
Mr.G.S.Rana, Advocate, for the petitioner.

Mr.Madan Mohan, Advocate, for the respondents.

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 parties entered into an agreement dated 06.10.2005 for execution of 5 pair cable laying and associated jobs at Assandh. Clause 17 of the agreement provided that in case of any dispute or difference between the parties the same would be settled through the mode of arbitration.

On disputes having arisen between the parties, the petitioner, in terms of the afore referred Clause 17 of the agreement sent a legal notice to the respondents seeking resolution of the disputes between them or in the alternative for appointment of an Arbitrator. In response to such notice neither the disputes were resolved nor any Arbitrator was appointed occasioning the filing of the present petition.

After hearing learned counsel for the parties and with their consent, Mr. Sultan Singh Lamba, District & Sessions Judge (Retd.) is

appointed as the sole Arbitrator to settle the disputes between the parties which are the subject matter of the present petition. However, such appointment would be subject to the declaration to be made by Mr.Lamba under Section 12 of the Act with regard to his independence and impartiality to settle the disputes 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 the Fourth Schedule of the Act, as amended or as may be mutually settled by the parties and the Arbitrator.

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 Chandigarh where Mr.Lamba resides or any other place convenient to all concerned.

A copy of this order be forwarded to Mr.Sultan Singh Lamba District & Sessions Judge (Retd.), at the given address: -

H.No.5660, MHC,
Manimajra,
Chandigarh.
(Mobile No. 94160-11600).

After seeking the convenience of the Arbitrator, the parties are directed to appear before the Arbitrator on 31.01.2020 at 11.00 A.M. or any other date and time suitable to all concerned.

The petition is disposed of in the above terms.

16.01.2020
shamsher

[DEEPAK SIBAL]
JUDGE

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