

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

**ARB No.115 of 2018 (O&M)
Date of Decision:31.01.2020**

GANPATI ENTERPRISES

...Petitioner

Versus

MANAGING DIRECTOR HAFED AND ANOTHER ..Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Karunesh Kaushal, Advocate for
 Mr. Robin Dutt, Advocate for the petitioner.

 Mr. R.K.Sheoran, Advocate for the respondents.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short-the Act) for appointment of an Arbitrator.

The parties entered into an agreement dated 28.01.2009 as per which the petitioner was required to mill the paddy on behalf of the respondents. Admittedly, as per clause 23 of the agreement disputes between the parties were to be settled through the mode of arbitration.

Disputes having arisen between the parties, the petitioner through notice dated 13.03.2018 invoked the arbitration clause and required the respondents to appoint an Arbitrator. Within 30 days of the receipt of the aforesaid notice, the respondents did not respond.

After hearing learned counsel for the parties and with their

consent for adjudicating the disputes between them, Mr. Vimal Bakshi, District & Sessions Judge (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Mr. Bakshi 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 Ambala or at any other place convenient to all concerned.

A copy of the this order be forwarded to Mr. Vimal Bakshi, District & Sessions Judge (Retd.) at the given address:

BDPO Residence,
Near Kali Mata Mandir,
Naraingarh, Ambala
Mob.9991922244

After seeking the convenience of the Arbitrator, the parties are directed to appear before him on 12.02.2020 at 11 A.M. or any other date suitable to all concerned.

The matter is disposed of in the above terms.

January 31, 2020

**(DEEPAK SIBAL)
JUDGE**

Jyoti-1 Whether speaking/reasoned Yes/No Whether Reportable Yes/No