

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

**ARB-43-2019 (O&M)
Date of decision: 03.02.2020**

M/s Goldenray Services (Security Division)

.....Applicant

versus

Global Centre for Nuclear Energy Partnership (GCNEP) and another

.....Respondents

CORAM: Hon'ble Mr. Justice Deepak Sibal

Present: Mr.Mandeep Malik, Advocate for the applicant.
Mr.C.M.Sharma, Advocate for the respondents.

Deepak Sibal, J. (Oral)

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

The respondents placed a work order on the applicant as per which the applicant organization was to provide watch and ward on round-the-clock basis as well as general shift at Global Centre for Nuclear Energy Partnership (GCNEP), Bahadurgarh, Haryana. As per clause 10(3) of the said work order disputes which may arise from the work order were to be settled through the mode of arbitration.

Disputes having arisen between the parties, the applicant invoked the arbitration clause and called upon the respondents to appoint an Arbitrator. In response, the respondent appointed an Arbitrator whose appointment, according to the applicant, was not as per the arbitration clause.

At the outset, learned counsel for the parties submit that they have express instructions from their respective clients that this Court may appoint an independent and impartial Arbitrator.

In view of the consensus between the parties and also in the interest of justice, for adjudicating the disputes between them, Mr.R.S.Virk, District & Sessions Judge (Retd.) is appointed as the Sole Arbitrator. However, such appointment would be subject to the declaration to be made by Mr.Virk 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 Gurgaon or at any other place which is suitable to all concerned.

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

H.No.7, Aaron Ville,
Fazilpur Road,
Sector 48, Gurgaon,
Haryana, 122001
(Mob. No. 09582255555)

After seeking the convenience of the Arbitrator, the parties are directed to appear before him on 17.02.2020 at 11:00 A.M. or on any other date suitable to all concerned.

The matter is disposed of in the above terms.

03.02.2020

gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No

