

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 221

ARB-101-2019 (O&M)
Date of decision : 04.03.2020

Jagpal Singh Kadian

..... Applicant

VERSUS

The Municipal Corporation, Rohtak
and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Ramesh Hooda, Advocate, for the applicant.

Mr.Deepak Balyan, Advocate, for the respondents.

DEEPAK SIBAL, J. (ORAL)

The present application 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 through which the applicant was to construct a road for the respondents. Admittedly as per clause 25(A) of such agreement disputes between the parties were to be settled through the mode of arbitration.

Disputes having arisen between the parties, through notice dated 10.04.2018, the applicant invoked the arbitration clause but when within thirty days of the receipt of the notice the respondents did not appoint an Arbitrator the present application was filed for the aforesaid relief.

After hearing learned counsel for the parties and leaving them to raise all their claims/defences/counter-claims, which may be available to them in law before the arbitrator, Mr.R.C.Godara, District & Sessions Judge (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Mr.Godara 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 Panipat.

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

F1/5, Eldeco Estate Panipat,
Sector 40, Panipat,
Haryana.
(Mobile No. 94678-64678).

After seeking the convenience of the Arbitrator, the parties are directed to appear before him on 18.03.2020 or on any other date suitable to all concerned.

The matter is disposed of in the above terms.

04.03.2020
shamsher

[DEEPAK SIBAL]
JUDGE

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