

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

102

CWP-7386-2020 (O&M)
Date of Decision : 18.05.2020

Piet Sanskriti Sr. Secondary School, through
authorized representative Rakesh Tayal

....Petitioner

v/s

National Fertilizers Limited through its
General Manager i/c, NFL Township, Panipat.

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. Amitabh Tewari, Advocate for the petitioner.
Mr. Ashwani Talwar, Advocate for the respondent.

B.S. Walia, J. (Oral/VC)

[1] Prayer in the petition under Articles 226 & 227 of the Constitution of India, is for the issuance of a writ, order or direction especially in the nature of certiorari to quash Annexure P-7 i.e. invoice dated 01.05.2020 issued by the respondent-Company. Prayer is also for the issuance of a writ of mandamus for directing the respondent to seek increase in rent w.e.f. the date of expiry of period of 05 years from the date of possession in accordance with the letter of intent (Annexure P-2) dated 14.05.2015.

[2] Learned counsel for the respondent refers to the lease deed (Annexure P-5), as per which the payment to be made by the petitioner to the respondent has been enumerated as also that in case of any dispute with regard to the payment to be made, the dispute is referable to arbitration as per the LOI.

[3] Learned counsel for the petitioner after arguing for some time states that he would be satisfied in case the dispute which is the subject matter of the writ petition is referred to arbitration by appointing an independent Arbitrator, preferably the President of the Senior Advocates Association of the High Court to decide the dispute in accordance with law in a time bound manner.

[4] Learned Counsel for the respondents states that he has no objection to the prayer of learned counsel for the petitioner.

[5] In view of the consensus between the parties, the writ petition is disposed of. The respondents shall appoint Shri Mandeep Bedi, learned Senior Advocate and President of the Senior Advocates Association of the High Court as Arbitrator within ten days from today to go into the dispute as is the subject matter of the petition and to give an award, as expeditiously as possible, in accordance with law on fee as per schedule laid down in the Arbitration and Conciliation Act, 1996 as amended up to date.

[6] Petition stands disposed of in the aforementioned terms.

(B.S. Walia)
Judge

May 18, 2020
'Rajneesh/Amit'

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