

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

ARB No.90 of 2019

Date of Decision:28.01.2020

M/S SUPER ELECTRICAL WORKS

...Petitioner

Versus

NATIONAL FERTILIZERS LTD AND OTHERS ..Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Harkesh Manuja, Advocate for the petitioner.

Mr. Ashwani Talwar, Advocate with
Mr. Sehaj Mahajan, 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 03.08.2016 as per which the petitioner was required to execute electrical work for the respondents. Admittedly, as per clause 16 of the agreement disputes between the parties were to be settled through the mode of arbitration.

Disputes between the parties having arisen, the petitioner, while invoking the arbitration clause, served upon the respondents notice dated 24.10.2018 requiring them to appoint an Arbitrator. In response to such notice, the respondents denied the petitioner's claims and did not appoint an Arbitrator. It is in these circumstances that the present petition has been filed for the aforesaid relief.

After hearing learned counsel for the parties and with their

consent for adjudicating the disputes between them, Ms. Shashi Chauhan, Additional District Judge (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Ms. Chauhan, under Section 12 of the Act with regard to her 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 or at any other place convenient to all concerned.

A copy of the this order be forwarded to Ms. Shashi Chauhan, Additional District Judge (Retd.) at the given address:

H.No.2151,
Sector 18, Panipat
Mob:8930275275

After seeking the convenience of the Arbitrator, the parties are directed to appear before her on 11.02.2020 at 11 A.M. or any other date suitable to all concerned.

The matter is disposed of in the above terms.

January 28, 2020

**(DEEPAK SIBAL)
JUDGE**

Jyoti-17 Whether speaking/reasoned Yes/No Whether Reportable Yes/No