

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

ARB No.89 of 2019 (O&M)

Date of Decision:20.02.2020

M/S. V.H. SYNTHETIC AGENCY

...Applicant

Versus

UNITED INDIA INSURANCE COMPANY LTD

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Ashish Kapoor, Advocate for the applicant.

Mr. Munish Goel, 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 applicant took an insurance policy from the respondent which contained clause 13 as per which disputes between the parties were to be settled through the mode of arbitration.

Disputes having arisen between the parties, the applicant through notice dated 14.11.2018, invoked the arbitration clause and required the respondent to appoint an Arbitrator. In response to the aforesaid notice the respondent denied the applicant's claim but no Arbitrator was appointed.

After hearing learned counsel for the parties and leaving it open for them to raise all possible claims/defences/counter claims before the

Arbitrator Justice Arvind Kumar, a former Judge of this Court is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Justice Arvind Kumar 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, the venue for the Arbitration shall be at Chandigarh.

A copy of the this order be forwarded to Justice Arvind Kumar (Retd.) at the given address:

House No.275,
Sector 17, Panchkula
Mob.9888807564

After seeking the convenience of the Arbitrator, the parties are directed to appear before him on 02.03.2020 or on any other date suitable to all concerned.

The matter is disposed of in the above terms.

(DEEPAK SIBAL)

JUDGE

February 20, 2020

Whether speaking/reasoned Yes/No Whether Reportable Yes/No