

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 214

ARB-180-2019

Date of decision : 02.03.2020

Dr.Harshbir Singh Pannu and another

..... Applicants

VERSUS

Dr.Jaswinder Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sankalp Sagar, Advocate, for the applicants.

Mr.R.S.Bajaj, Advocate, for the respondent.

DEEPAK SIBAL, J. (ORAL)

Written statement filed on behalf of the respondent in Court today is ordered to be taken on record.

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.

On 12.03.2014 the parties entered into a partnership deed as per clause 13 of which any misunderstanding, disagreement, differences, controversy, disputes or claims arising out of the deed or relating thereto was to be settled through the mode of arbitration.

Disputes having arisen between the parties the applicants, through legal notice dated 13.09.2017, sought resolution of the same to which no response was received. Thereafter through another legal notice dated 03.04.2019 the applicants invoked the arbitration clause and sought consent of the respondent to the name of the proposed arbitrator. No response to this notice was also made by the respondent occasioning the filing of the present application 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 to

be raised before the arbitrator, Justice Ram Chand Gupta, 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 Ram Chand Gupta under Section 12 of the Act with regard to his independence and impartiality to settle the dispute 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 Chandigarh.

A copy of the this order be forwarded to Justice Ram Chand Gupta (Retd.) at the given address:-

#215CP, Sector-4,
M.D.C., Panchkula
(Mobile No.97800-08147)

After seeking the convenience of the Arbitrator, the parties are directed to appear before the Arbitrator on 12.03.2020 or on any other date suitable to all concerned.

The matter is disposed of in the above terms.

02.03.2020
shamsher

[DEEPAK SIBAL]
JUDGE

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