

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 214, 213 and 215

ARB-261-2019 (O&M)
Date of decision : 13.03.2020

M/s Anjaniputra Builders Pvt. Ltd.

..... Applicant

VERSUS

Amrik Singh and others

..... Respondents

2.

ARB-260-2019 (O&M)

M/s Anjaniputra Builders Pvt. Ltd.

..... Applicant

VERSUS

Rajinder Singh

..... Respondent

3.

ARB-262-2019 (O&M)

M/s Anjaniputra Builders Pvt. Ltd.

..... Applicant

VERSUS

Rajinder Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Munish Gupta, Advocate, for the applicant(s) in all cases.
 Ms.Divya Sharma, Advocate, for the respondents in ARB-261-2019.
 Mr.Vishal Gupta, Advocate, for the respondent(s)
 in ARB-260-2019 and ARB-262-2019.

DEEPAK SIBAL, J. (ORAL)

Since similar issues are involved in ARB-261-2019 “*M/s Anjaniputra Builders Pvt. Ltd. vs Amrik Singh and others*”, ARB-260-2019 and ARB-262-2019 “*M/s Anjaniputra Builders Pvt. Ltd. vs Rajinder Singh*” all these three applications are being disposed of through the present common order. For the sake of convenience, facts are being taken from ARB-261-2019.

Through order dated 21.02.2014 passed in Arbitration Case No.26 of 2011 “*M/s Anjaniputra Builders Pvt. Ltd. vs Amrik Singh and others*” to adjudicate the disputes *inter se* the parties, this Court had appointed Mr.S.K.Chopra, District & Sessions Judge (Retd.) as the sole Arbitrator. The said Arbitrator entered into the disputes between the parties but before he could finally adjudicate upon them, due to his ill health has terminated his mandate. It is in this background that the present

application has been filed under Sections 11 and 15(2) of the Arbitration and Conciliation Act, 1996 (for short, the Act) for appointment of another Arbitrator in his place

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, in all these three applications Justice N.K.Sodhi, a former Chief Justice of Kerala and Karnataka High Courts, is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Justice N.K.Sodhi 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, the venue of the arbitration shall be at Chandigarh.

A copy of the this order be forwarded to Justice N.K.Sodhi, Chief Justice (Retd.) , at the given address:-

36, Sector-4,
Chandigarh
(Mob. No.96461-24055).

After seeking the convenience of the Arbitrator, the parties are directed to appear before the Arbitrator on 26.03.2020 or on any other date suitable to all concerned.

All the three applications being ARB-261-2019, ARB-260-2019 and ARB-262-2019 are disposed of in the above terms.

13.03.2020

shamsher

[DEEPAK SIBAL]

JUDGE

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