

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

Sr. No.206

ARB-26-2017

Date of decision: 20.02.2020

Umesh Kumar Singla

....Applicant

versus

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Naresh Gopal Sharma, Advocate
for the applicant.

None for respondents No.1 and 2.

Ms. Kulwant Kaur Kahlon, Advocate
for respondents No.3 and 4.

* * *

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.

As per agreement dated 16.05.2013, the respondents awarded to the applicant the work of construction of Gang no.38-A & 1 (18 unit type-II) quarters at CDG in the section of SSE/W/Chandigarh under ADEN/Rajpura. As per clause 64 of the agreement disputes between the parties were to be settled through the mode of Arbitration.

Disputes having arisen between the parties, the applicant through notices dated 27.04.2016 and 16.06.2016, required the respondents to resolve the same but to no avail. Thereafter, through letter dated

08.10.2016, the applicant invoked the arbitration clause and sought appointment of an Arbitrator. When within 30 days of the receipt of such notice no Arbitrator was appointed by the respondents, the present application has been filed for the aforesaid relief.

After hearing learned counsel for the parties Mr. Lakshman Sharma, District and Sessions Judge (Retd.), is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Mr. Lakshman Sharma 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 as also of the Arbitrator, the venue of the Arbitration shall be at Chandigarh Arbitration Centre, Chandigarh or at any other place convenient to all concerned.

A copy of the order be forwarded to Mr. Lakshman Sharma, District and Sessions Judge (Retd.) at the given address:

Flat No. C-57,
Kendriya Vihar-II,
Sector-25,
Panchkula
(Mob. No.94639-99544).

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.

February 20, 2020
Jyoti 1

Whether speaking/reasoned
Whether reportable

(DEEPAK SIBAL)
JUDGE
Yes/No
Yes/No