

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

ARB-4-2019

Date of decision: 22.01.2020

M/s Arun Enterprises

.....Petitioner

versus

Dakshin Haryana Bijli Vitran Nigam Vidyut Sadan and others

.....Respondents

CORAM: Hon'ble Mr. Justice Deepak Sibal

Present: Mr.Mahir Sood, Advocate for the petitioner
Ms.Amandeep Kaur, Advocate for
Mr.Deepak Balyan, Advocate for the respondents

Deepak Sibal, J. (Oral)

The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 Act (for short, the Act) for appointment of an Arbitrator in a domestic commercial dispute.

The petitioner is a firm based in Sahibabad, District Ghaziabad, Uttar Pradesh which manufactures Metallic Meter Boxes, Electrical Distribution Boxes and is engaged in the supply, testing, installation and commissioning of Meter Pillar Boxes, laying of service cables, PCC Poles etc.

The petitioner was a successful bidder in a tender floated by respondent no.2 and as a result thereof was awarded a 12 months contract/work order. Admittedly, as per the terms and conditions of the work contract/work order, if any dispute was to arise in the execution of the contract/ work order, the same was to be settled through the mode of arbitration.

Disputes having arisen with regard to payments due to the petitioner, the petitioner through notice dated 10.03.2017 invoked the arbitration clause and requested the respondents to appoint an Arbitrator. The respondents did not respond to the notice occasioning the filing of the present petition.

After hearing learned counsel for the parties and with their consent, for adjudicating the disputes between them, Justice G.S.Singhvi, a former Judge of the Supreme Court of India is appointed as the Sole Arbitrator. However, such appointment would be subject to the declaration to be made by Justice Singhvi 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 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 Delhi.

A copy of the this order be forwarded to Justice G.S.Singhvi (Retd.) at the given address:-

K-27, Hauz Khas Enclave,
Ground Floor and Basement,
New Delhi – 110016
Mobile - 9958677088

After seeking the convenience of the Arbitrator, the parties are directed to appear before the Arbitrator on 31.01.2020 or on any other date suitable to all concerned.

The matter is disposed of in the above terms.

22.01.2020
gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No