

217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ARB-329-2019 (O&M)

Date of Decision:19.02.2020

M/S SUNRISE HOUSEKEEPING & SUPPORT SERVICES PVT LTD
...Applicant

Versus

CHANDIGARH INDUSTRIAL AND TOURISM DEVELOPMENT
CORPORATION LTD ..Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Parveen Gupta, Advocate for the applicant.

Mr. Shekhar Verma, Advocate for the respondent.

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.

Through contract dated 29.04.2011 the respondent awarded to the applicant the work of providing mechanised cleaning and dishwashing services for the hotels and other units of the respondent for the year 2011-12. Admittedly as per clause 22 of the contract disputes between the parties were to be settled through the mode of arbitration.

Disputes having arisen between the parties, the applicant wrote a letter to the respondent to either resolve them or to appoint an Arbitrator. In response to such letter neither the respondent made any efforts to resolve the disputes nor appointed an Arbitrator occasioning the filing of the present application.

After hearing learned counsel for the parties, Justice Rakesh Kumar Garg (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 Rakesh Kumar Garg 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 applicant, for the sake of the convenience of the parties, the venue of the Arbitration shall be at Chandigarh Arbitration Centre, Chandigarh.

A copy of the this order be forwarded to Justice Rakesh Kumar Garg at the given address:

H.No.417, Sector 35-A
Chandigarh
Mob. No.9780008133

After seeking the convenience of the Arbitrator, the parties are directed to appear before him on 02.03.2020 at 11.00 a.m or on any other date suitable to all concerned.

The matter is disposed of in the above terms.

February 19, 2020

(DEEPAK SIBAL)
JUDGE

Jyoti-1 Whether speaking/reasoned Yes/No Whether Reportable Yes/No