

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-349-2021

Date of Decision: 02.11.2021

M/s. Zaam Tools, through its proprietor Akhtar Ali Siddiqui

..... Petitioner(s)

Versus

Chief Materials Manager, Rail Coach Factory, Kapurthala, Punjab and
another

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Talim Hussain, Advocate for the petitioner.

Mr. Amit Kumar, Advocate for the respondents.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Prayer in this petition under Section 11(4) of the Arbitration and Conciliation Act, 1996 (for short – ‘the Act’) is for appointment of sole independent Arbitrator for resolution of disputes and differences arising out of Agreement dated 03.02.2020, Annexure P-2, between the parties.

Dispute arose between the parties. Notice dated 10.02.2020 was served by the petitioner and the claim repudiated by the respondent. Clause 18 of the agreement provides for resolution of the dispute through arbitration.

Learned counsel for the parties inform that it is agreed between the parties that Mr. Rakesh Goyal, retired Additional Member (Civil Engineering), Railway Board, resident of 2094, Joy Apartments, Sector 2 Dwarka, New Delhi – 110075, Mobile No.9717644264, be appointed as sole Arbitrator.

Keeping in view the facts and circumstances as above, this petition is allowed and Mr. Rakesh Goyal, retired Additional Member (Civil Engineering), Railway Board, is appointed as the Sole Arbitrator. However, such appointment would be subject to the declaration to be made by the Arbitrator under Section 12 of the Act with regard to his independence and impartiality to settle the disputes between the parties.

The Arbitrator to complete the proceedings within the time limit specified under Section 29-A of the Act. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended, to be borne equally by the parties.

Parties to appear before the Sole Arbitrator on such date and time as nominated by him. Proceedings may also be conducted through video conferencing, subject to consensus among all.

(Lisa Gill)
Judge

02.11.2021

Sunil

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