

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB No. 324 of 2021.
Date of Decision:06.12.2021

**The Lehri Veeran Cooperative Labour and Construction Society
Limited**

.....Petitioner

Versus

Punjab State Power Corporation Limited and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Ms. Sheenam Kamboj, Advocate
for Mr. Dheeraj Mahajan, Advocate
for the petitioner.

Mr. Kannan Malik, Advocate
for Mr. Sehajbir Singh, Advocate
for the respondents.

LISA GILL, J(Oral).

Prayer in this petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short – ‘the Act’) as amended by the Arbitration and Conciliation (Amended) Act, 2015 (3 of 2016), 2019, is for appointment of sole independent Arbitrator for resolution of disputes and differences arising between the parties out of agreement dated 13.04.2010, Annexure P-1.

Subsequent to execution of agreement dated 13.04.2010, dispute arose between the parties. Notice dated 09.08.2014, Annexure P-3, was served by the petitioner with the claim being repudiated by the respondent, leading to filing of this petition. Clause 3.20 of the contract agreement/allotment agreement provides for resolution of the dispute through arbitration.

Existence of an arbitrable dispute between the parties is not denied, neither is existence of the arbitration clause denied.

Keeping in view the facts and circumstances as above, this petition is allowed and Sh. Harcharan Singh Dhaliwal, District & Sessions Judge (Retd.), resident of House no. 524, The Foothills, IAS-PCS, Co-op HB Society, Mullanpur Garibdas, Tehsil Kharar, District SAS Nagar (New Chd) Pb., is appointed as the Sole Arbitrator to resolve the dispute/differences between the parties. Appointment is subject to 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 is 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.

A copy of this order be dispatched to Sh. Harcharan Singh Dhaliwal, former District & Sessions Judge, at the following address:-

House No. 524, The Foothills, IAS-PCS, Co-op HB Society,
Mullanpur Garibdas, Tehsil Kharar, District SAS Nagar (New Chd) Pb.,

06.12.2021

s.khan

[LISA GILL]

Judge

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