

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB No.350 of 2021
Date of Decision: 15.11.2021

THE BAGHA COOPERATIVE SOCIETY

..... Petitioner(s)

Versus

PUNJAB STATE POWER CORPORATION LIMITED AND
OTHERS

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Vivek Khatri, Advocate
for the petitioner.

Mr. Abhilaksh Grover, Advocate
for respondent-PSPCL.

LISA GILL, J.

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

Prayer in this petition under Section 11(6) 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 05.10.2006, Annexure P1, executed between the parties.

Dispute arose between the parties and notice dated 10.05.2021 (Annexure P3) was served upon the respondent-Corporation by the petitioner. Claim was repudiated by the respondent. Clause 3.19 of the agreement provides for resolution of the dispute through arbitration.

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

Keeping in view the facts and circumstances as above, this

petition is allowed and Sh. Gurcharan Singh Saran, District & Sessions Judge (Retd.), resident of House No.74, Punjab Judges and Officers Enclave, Sector 77, Mohali, Mobile No.94635-94949, 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 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 from time to time to be borne equally by the parties.

A copy of this order be dispatched to Sh. Gurcharan Singh Saran, District & Sessions Judge (Retd.), at the following address:-

House No.74, Punjab Judges and Officers Enclave, Sector 77,
Mohali, Mobile No.94635-94949.

November 15 , 2021.

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(LISA GILL)
JUDGE

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