

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

235/2

ARB No. 47 of 2018

Date of Decision: 29.09.2022

SANJEEV WALIA

.....Petitioner

Vs

M/S HARISH KUMAR CHHABHRA (HUF) AND OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Nitin Thatai, Advocate
for the petitioner.

Mr.Anil Sharma, Advocate
for respondents No. 1 to 9 and 12.

RAJ MOHAN SINGH, J.(Oral)

The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short “the Act”) as amended up to date for appointment of sole Arbitrator to adjudicate the dispute between the parties.

The dispute relates to rendition/ settlement of accounts of partnership firm M/s S.K.Wines for the period from 01.04.2014 to 31.03.2017. The partnership deed was executed on 21.03.2016. Supplementary partnership deed was also executed on 18.12.2016. Owing to some dispute in respect of partnership business where sharing ratio of profit and loss was on defined pattern, the petitioner invoked the arbitration clause

No. 21 of the partnership deed dated 21.03.2016.

According to learned counsel for the petitioner, tentative value of the claim is about Rs. 1 crore, however the same would be final adjudication by the Arbitrator.

Existence of partnership deeds having arbitration clause is not in dispute. There is no serious opposition on behalf of the respondents for the appointment of independent Arbitrator as the dispute in any case has to be resolved by means of arbitral proceedings.

Both the parties are *ad idem* that the parties belong to Ludhiana and the seat of Arbitrator be fixed at Ludhiana.

Keeping in view the facts and circumstances of the case, I hereby appoint Sh.Hon'ble Mr.Justice Sant Parkash (Retd.), House No.478, The Punjab Judicial Officers Co-operative House Building Society, The Foothills New Chandigarh, Mullanpur, (Office Address: House No.3184, Sector 27-D, Chandigarh) (Mobile: 893024436 & 9646102330) as the sole Arbitrator, to resolve the dispute/difference between the parties. The appointment of the Arbitrator shall be subject to the declaration to be made by him as required under Section 12 of Arbitration and Conciliation Act, 1996 in respect of his independence and impartiality to settle the dispute between the parties.

The Arbitrator would complete the proceedings within

the specified time in terms of Section 29-A of the said Act. The Arbitrator shall be paid fee in accordance with the IVth Schedule of the Act as amended from time to time. The fee shall be borne by both the parties in equal proportion.

The venue of the Arbitration shall be the place to be disclosed by the Arbitrator according to his convenience.

A copy of this order be dispatched to the Arbitrator at the following address:-

House No.478, The Punjab Judicial Officers Co-operative House Building Society, The Foothills New Chandigarh, Mullanpur, (Office Address: House No.3184, Sector 27-D, Chandigarh).

Petition stands disposed of accordingly.

(RAJ MOHAN SINGH)
JUDGE

29.09.2022

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whether speaking/non speaking	yes/no
whether reportable/non reportable	yes/no