

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

ARB-79-2017 (O&M)

Date of Decision: July 18, 2022

Bindra Developers Pvt. Ltd.

..... Petitioner(s)

Versus

Municipal Corporation of Panchkula and others

..... Respondent(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Nikhil Handu, Advocate
for the applicant.

Mr. Vishal Garg, Advocate
for the respondents.

LISA GILL, J.

Prayer in this petition under Section 11(6)(C) 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 (Annexure P-1), executed between the parties.

Dispute arose between the parties and notice dated 11.04.2016 (Annexure P-11) was served upon the respondents by the applicant invoking arbitration clause no.25-A of the agreement.

Existence of an arbitrable dispute between the parties is not denied neither is existence of the arbitration clause denied. Learned counsel for the respondents submits that there is no objection to appointment of sole independent Arbitrator for settlement of all disputes and differences between the parties arising out of Agreement, Annexure P-1.

Keeping in view the facts and circumstances as above, this petition is allowed and Mr. Mahender Singh, Additional District and Sessions Judge (Retd.), Flat No. 704, Block A- 5, Purab Apartments, Sector 88, Mohali, Mobile No. 9467001234, is appointed as the Sole Arbitrator to resolve all the disputes/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 Mr. Mahender Singh, Additional District and Sessions Judge (Retd.) at the following address:-

Flat No. 704, Block A- 5, Purab Apartments, Sector 88, Mohali, Mobile No. 9467001234.

18.07.2022

Sunil

(LISA GILL)
JUDGE

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