

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB No. 41 of 2020.

Date of Decision:08.04.2022

Jarnail Singh

.....Petitioner

Versus

Punjab State Agriculture Marketing Board and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Kewal Singh, Advocate
for the petitioner.

Mr. Mukesh Singla, Advocate
for respondents no.1 to 4.

LISA GILL, J(Oral).

Prayer in this petition under Section 11 read with Section 12 (5) and Section 14 of the Arbitration and Conciliation Act, 2015 (3 of 2016) (for short – ‘the Act’), is for appointment of sole independent Arbitrator for resolution of disputes and differences arising between the parties out of Agreement dated 22.04.2019, Annexure P-1.

Mr. Mukesh Singla, Advocate, appears on behalf of respondents no.1 to 4. Reply by way of affidavit dated 15.10.2020 of Sh. Vinod Kumar, Secretary, Market Committee, Ludhiana, filed on behalf of the respondents in Court today, is taken on record subject to just exceptions. Power of attorney filed in Court today is taken on record subject to just exceptions.

Applicant-petitioner’s e-tender for collection of parking fees in Sabzi Mandi, Karabarai Chowk, Ludhiana, was accepted on 18.04.2019 and agreement dated 22.04.2019 drawn up. Contract was cancelled by the

respondents on 27.07.2019.

Admittedly, dispute arose between the parties after execution of Agreement dated 22.04.2019, Annexure P-1. There is no denial of existence of an arbitral dispute between the parties or of the arbitration clause. Learned counsel for the respondent is unable to deny that there is no impediment for appointment of a Sole Arbitrator to adjudicate the dispute arising out of agreement dated 22.04.2019.

Keeping in view the facts and circumstances as above, this petition is allowed and Sh. Beant Singh Bedi, District & Sessions Judge (Retd.), resident of House No. 2826, Sector-61, SAS Nagar Mohali, mobile no. 9417364876, 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. Beant Singh Bedi, District & Sessions Judge (Retd.), at the following address:-

House No. 2826, Sector-61, SAS Nagar Mohali, mobile no. 9417364876.

08.04.2022
s.khan

[LISA GILL]
Judge

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