

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

311

**ARB No. 284 of 2021 (O&M)
Date of Decision: 17.11.2022**

M/S RAHEJA DEVELOPERS LTD

-Petitioner

Versus

GURMEET GILL & ORS

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.J.S.Rana, Advocate
for the petitioner.

Mr.Shubham Pathania, Advocate for
Mr.Alankrit Nanda, Advocate
for the respondents.

RAJ MOHAN SINGH, J. (Oral)

The petitioner has preferred this petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an independent arbitrator in order to adjudicate the dispute between the parties arising out of agreement dated 13.08.2012 and supplementary collaboration agreement dated 25.06.2013.

During the course of arguments, learned counsel for the respondents has admitted the existence of agreement and arbitration clause contained therein. The consensus has arrived at between the parties that in view of the claim and counter claim to be set up by the respondents during the course of arbitration proceedings, a former Judge of the High Court be appointed as an independent arbitrator.

The tentative value of the claim set up by the petitioner is more than Rs.4.5 crores.

Learned counsel for the respondents submits that the respondents would also set up a counter claim during the arbitral proceedings.

In view of the consensus arrived at between the parties, I hereby appoint Hon'ble Mr.Justice A.K.Mittal, former Chief Justice, House No.26, Sector 4, Chandigarh (Mobile: 9780008112) 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 the petitioner and respondent(s) in equal proportion.

The venue will be as per the convenience of the Arbitrator.

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

Hon'ble Mr.Justice A.K.Mittal, former Chief Justice,
House No.26, Sector 4, Chandigarh (Mobile:
9780008112).

Petition stands disposed of accordingly.

17.11.2022
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(RAJ MOHAN SINGH)
JUDGE

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