

246

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

**ARB No.301 of 2021 (O&M)
Date of Decision: 30.09.2022**

M/S MEDECUBE HEALTHCARE INDIA PVT LTD

.....Petitioner

Vs

ABHIMANYU RAPRIA AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vikrant Attri, Advocate for
Mr. T.S. Nerwal, Advocate
for the petitioner.

Mr. Ambanshu Sahni, Advocate
for respondents No.1 and 2.

RAJ MOHAN SINGH, J.(Oral)

[1]. Petitioner has filed the present petition under Section 11(6)(a) of the Arbitration and Conciliation Act, 1996 (hereinafter to be referred as 'the Act') for appointment of an independent Arbitrator to adjudicate the dispute between the parties.

[2]. Notice of motion was issued on 03.05.2021. During course of arguments, learned counsel for both the parties have reached a consensus that the sole Arbitrator can be appointed in order to decide the dispute pending between the parties. Existence of contract agreement having arbitration clause is not

disputed by the parties. The petitioner has also invoked the arbitration clause No.14.2 of the contract agreement. The tentative value of the claim of the petitioner is to the tune of Rs.15,44,679 along with security deposit of Rs.36,79,500/- subject to final adjudication by the Arbitrator. The seat of the Arbitrator shall be at Gurugram.

[3]. In view of consensus arrived at between the parties, I hereby appoint Sh. Surinder Singh Walia, District and Sessions Judge (Retd.) R/o H.No.5413, Sector 38(W), Chandigarh, Mobile No.9876614207, Email: advsurinder1940@gmail.com 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.

[4]. The Arbitrator shall 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 equally.

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

[6]. A copy of this order be dispatched to the Arbitrator at the following address:-

Sh. Surinder Singh Walia,
District & Sessions Judge (Retd.)
R/o H.No.5413, Sector 38(W), Chandigarh
Mobile No.9876614207,
Email: advsurinder1940@gmail.com

[7]. Petition stands disposed of accordingly.

September 30, 2022

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No