

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

ARB-297-2021

Date of Decision: April 22, 2022

M/s. Indian Oil Corporation Ltd. (MD)

..... Petitioner(s)

Versus

Uttar Haryana Bijli Vitran Nigam Ltd. (UHBVNL)

..... Respondent(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ashish Kapoor, Advocate
for the applicant.

Mr. Samarth Sagar, Advocate
for the respondent.

LISA GILL, J. (Oral)

Prayer in this petition under Section 11(6) 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 16.02.2021 (Annexure P-2) was served upon the respondent by the petitioner invoking arbitration clause no.23 of the agreement.

Existence of an arbitrable dispute between the parties is not denied by learned counsel for the respondent, neither is the existence of the arbitration clause denied. Learned counsel for the respondent, on instructions from Mr. Puneet Kumar, XEN/MM, UHBVNL, Panchkula, 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 dated 24.05.2018, Annexure P-1.

Keeping in view the facts and circumstances as above, this petition is allowed and Mr. Kuldip Kumar Kareer, District and Sessions Judge (Retd.), resident of House No. 262, Sector 7, Chandigarh, Mobile No. 9780055722, 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 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. Kuldip Kumar Kareer, District and Sessions Judge (Retd.) at the following address:-

House No. 262, Sector 7, Chandigarh.

22.04.2022

Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No