

ARB-495-2021 (O&M)

Date of decision : **July 26, 2022**

Rohit Dhingra and another

.....Applicants

Versus

Mr. Lakhwinder Pal Singh and another

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Anuj Dewan, Advocate for the applicants.

Mr. Kirat Pal Singh Dhaliwal, Advocate for the respondents.

LISA GILL, J.

Prayer in this petition under Section 11(5) 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 dated 28.08.2019, Annexure P-1, executed between the parties.

It is submitted that dispute between the parties arose out of the above said agreement. Notice dated 27.07.2021 (Annexure P7) was issued invoking Arbitration Clause 15 of the agreement and approval of the respondents for appointment of sole Arbitrator at Delhi as named in the said notice was sought. Learned counsel for the applicant submits that reply dated 25.08.2021 to the notice was received whereby applicant’s request was declined, while stating that as per the relevant Clause i.e. 15.2.1, place of Arbitration shall be at Punjab.

Learned counsel for the respondents while not denying the existence of an arbitrable dispute between the parties or existence of the arbitration clause,

submits that respondents have no objection in case Arbitrator at Mohali is appointed.

Accordingly, Mr. Beant Singh Bedi, District and Sessions Judge (Retd.) 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 him 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.

A copy of this order be dispatched to Mr. Beant Singh Bedi, District and Sessions Judge (Retd.), at the following address:-

House No. 2826, Sector 61, Mohali (Punjab).

Present petition is, accordingly, disposed of.

July 26, 2022

rts

**(LISA GILL)
JUDGE**

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