

IN THE HIGH COURT OF PUNJAB AND HARYANA ATCHANDIGARH

ARB-488-2021 (O&M)

Date of Decision: February 02, 2022

Dr. Nirmal Khandelwal

..... Petitioner(s)

Versus

M/s. CYGNUS, Medicare Pvt. Ltd.

..... Respondent(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Vishavjeet, Advocate for
Mr. Aditya Grover, Advocate
for the petitioner.

Mr. Sahil Khunger, Advocate
for the respondent.

LISA GILL, J. (Oral)

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

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 dated 14.04.2014, Annexure P-1, executed between the parties.

Dispute arose between the parties and notice dated 21.10.2020 (Annexure P-2) was served upon the respondent by the petitioner. Claim was repudiated by the respondent.

Though reply to the petition has not been filed, existence of an arbitrable dispute between the parties is not denied, neither is the existence of the arbitration clause denied. Learned counsel for the respondent further

submits that respondent has no objection to this petition being allowed by this Court.

Keeping in view the facts and circumstances as above, this petition is allowed and Mr. Justice (Retd.) Rameshwar Singh Malik, former Judge, Punjab and Haryana High Court, resident of B-13, Mayfair Gardens, August Kranti Marg, New Delhi, Mobile No.7837049206, 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. Justice (Retd.) Rameshwar Singh Malik, former Judge, Punjab and Haryana High Court, at the following address:-

B-13, Mayfair Gardens, August Kranti Marg, New Delhi,
Mobile No.7837049206.

02.02.2022

Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No