

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

207

CWP-9810-2017

Date of decision: 18.11.2022

PRAGMA HOSPITAL

.....Petitioner

VERSUS

STATE OF PUNJAB AND ORS.

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Deepak Gupta, Advocate
for the petitioner.

Ms. Niharika Sharma, AAG, Punjab.

Mr. Shubham Gupta, Advocate and
Mr. D.P.Gupta, Advocate
for respondents No.3 & 4.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus for directing the respondents No.3 to 5 to clear the pending amount of the petitioner alongwith 18% interest.

Learned counsel appearing on behalf of the parties are *ad idem* that the dispute in question pertains to a billing dispute and that as per memorandum of understanding there is an arbitration clause under Article 14 thereof.

Learned counsel for the parties are *ad idem* that in view of the impending arbitration clause they proposed and accept the name of Mr. Shailender Kashyap, Advocate bearing Registration No. 1917/1999, Mobile No.9356661414 to act as an arbitrator in the matter

so that expeditious resolution of the dispute is undertaken.

Mr. Shailender Kashyap, Advocate is present in the Court and has given his consent to act as an Arbitrator to adjudicate the matter between the parties and submits that he has no impending interest with the parties.

Accordingly, the present petition is disposed of with the consent of parties appointing Mr. Shailender Kashyap, Advocate as an arbitrator to pass an award in the impending dispute. The fee of the Arbitrator shall be determined in terms of the Arbitration and Conciliation Act, 1996. The parties shall appear before the Arbitrator on 20.12.2022 for further necessary action.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 18, 2022

Vishal sharma

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