

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

ARB-620-2021 (O&M)

Date of decision : **April 04, 2022**

The Dikadla Co-op. L&C Society Ltd.

.....Petitioner

Versus

Haryana Shahari Vikas Pradhikaran and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Ms. Gursimran Kaur, Advocate for the petitioner.

Mr. P.S. Chauhan. Advocate for the respondents.

LISA GILL, J.

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 29.06.2019, Annexure P-1, executed between the parties.

Dispute arose between the parties with both raising claims and counter claims. Clause 25(a) of the agreement provides for resolution of the dispute through arbitration.

Existence of an arbitrable dispute between the parties is not denied, neither is the existence of the arbitration clause denied.

Learned counsel while referring to communication dated 01.04.2022 submits that the respondents have no objection to the appointment of an Arbitrator by this Court.

Keeping in view the facts and circumstances as above, this petition is allowed and Mrs. Justice Raj Rahul Garg (Retd.), former Judge, Punjab and Haryana High Court, resident of #266, Sector 21, Panchkula, is appointed as the Sole Arbitrator to resolve the dispute/differences between the parties out of agreement dated 29.06.2019. Appointment is subject to declaration to be made by the Arbitrator under Section 12 of the Act with regard to her 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 Mrs. Justice Raj Rahul Garg (Retd.), former Judge, Punjab and Haryana High Court, at the following address:-

#266, Sector 21, Panchkula.
Mobile No. – 08558809937.

April 04, 2022

rts

(LISA GILL)
JUDGE

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