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

ARB No. 308 of 2019 (O&M)
Date of Decision: 05.09.2022

Subhash Khandelwal and another

-Petitioners

Versus

Karan Seth and another

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.K. Bawa, Advocate, for
Mr. G.S. Bhandal, Advocate,
for the petitioners.

Mr. Kartik Sandal, Advocate,
for the respondents.

RAJ MOHAN SINGH, J. (Oral)

Petitioners have preferred this petition under Section 11(5) of Arbitration and Conciliation Act for the appointment of an independent sole arbitrator.

Notice of motion was issued on 16.01.2020.

Mr. Kartik Sandal, Advocate appears on behalf of the respondents and submits that the respondents have no objection for the appointment of independent arbitrator and they will participate in the arbitral proceedings and would also set up a counter claim to the claim of the petitioners.

Both the parties are *ad idem* that an independent arbitrator be appointed for deciding the dispute. Admittedly, there was a contract agreement having arbitration clause and the petitioners have already invoked the same. The claim of the parties shall be decided by the arbitrator in accordance with law.

In view of aforesaid, I hereby appoint Sh. B.K. Mehta, District and Sessions Judge (Retd.), House No.5601, Sector 38 (W), Chandigarh, Mobile No.8872419600, balimehta@msn.com as the sole Arbitrator, to resolve the dispute/difference between the parties. The appointment of the Arbitrator shall be subject to the declaration to be made by him as required under Section 12 of Arbitration and Conciliation Act, 1996 in respect of his independence and impartiality to settle the dispute between the parties.

The Arbitrator would complete the proceedings within specified time in terms of Section 29-A of the said Act. The Arbitrator shall be paid fee in accordance with the 4th Schedule of the Act as amended from time to time. The fee shall be borne by parties in equal proportion.

A copy of this order be dispatched to the Arbitrator at the following address:-

House No.5601, Sector 38 (W), Chandigarh, Mobile No.8872419600, balimehta@msn.com

Petition stands disposed of accordingly.

05.09.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No