

Arb. Case No. 200 of 2018

[1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 200 of 2018(O&M)

Date of decision: 3rd May, 2023

M/s Parteek Rice Industries

Petitioner

Versus

State of Haryana and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Jatin Sharma, Advocate for the petitioner.
Mr. Sharad Aggarwal, DAG, Haryana.
Mr. P. K. Dwivedi, Advocate for respondents No. 2 and 3.

AVNEESH JHINGAN, J (Oral):

1. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, 'the Act') for appointment of an arbitrator for adjudication of disputes between the parties.
2. The petitioner and Haryana Agro Industries Corporation Ltd. entered into an agreement for shelling of paddy. Clause 24 of the general terms and conditions provides for dispute resolution through arbitration.
3. The petitioner issued notice dated 22.6.2018 for appointment of arbitrator. The respondents failed to do the needful within the stipulated period but later appointed an arbitrator, hence the present petition.
4. Learned counsel for the parties on instructions from the clients agree to the appointment of Mr. Justice Rajiv Sharma, former Judge of this Court, as sole arbitrator.
5. The petition is accordingly disposed of by appointing Mr. Justice Rajiv Sharma, former Judge of this Court, H. No. 505 (Backside First Floor), Sector 36-B, Chandigarh as the sole arbitrator. The arbitrator is appointed subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to settle the

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dispute between the parties.

- 6. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.
- 7. The arbitrator is requested to complete the proceedings as per time limit specified under Section 29A of the Act.
- 8. It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement.
- 9. Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

3rd May, 2023
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| 1. Whether speaking/reasoned | Yes/No |
| 2. Whether reportable: | Yes/No |