

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 19 of 2020

Date of decision: 11th January, 2023

A. K. Jain

Petitioner

Versus

D. S. Chauhan and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rohit Rana, Advocate for the petitioner.
Mr. H. N. Sahu, Advocate for the respondents.

AVNEESH JHINGAN, J (Oral):

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.

Reliance is placed upon Clause 13.2 of the partnership deed dated 20.1.2016 which provides for dispute settlement for arbitration.

Notice dated 5.10.2019 was issued by the petitioner for invoking arbitration. Thereafter the present petition has been filed.

Considering that as per clause 13.2(d), the seat of arbitration shall be at Gurgaon, the petition is accordingly disposed of by appointing Mr. C. B. Jaglian, District & Sessions Judge (Retd.), Flat No. D-503, Alaknanda CGHS Plot No. GH-45, Sector 56, Gurgaon 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 dispute between the parties.

The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

The arbitrator is requested to complete the proceedings as per time limit specified under Section 29A of the Act.

It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement including the condition of pre-deposit.

Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

11th January, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |