

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

ARB-64-2022 (O&M)
Date of Decision:-06.07.2023

Dr. Sandeep Goel

... Petitioner

Versus

State Health Agency and Others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Piyush Bansal, Advocate for
Mr. Shrenik Jain, Advocate for the petitioner.

Ms. Indira, Advocate for
Mr. H.S. Oberoi, Advocate for respondent No. 1.

Mr. B.S. Jaswal, Advocate for respondent No. 3.

GURVINDER SINGH GILL, J.

1. The present petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (in short hereinafter referred to as 'the Act') for appointment of an Arbitrator.
2. Admittedly, the parties had entered into an agreement dated 20.8.2020 wherein the respondents - State Health Agency, Punjab and Iffico Tokio General Insurance Company Ltd. allotted the work for providing health insurance/implementation support services to identified beneficiary families covered under Ayushman Bharat - Sarbat Sehat Bima Yojna.
3. Clause 16(vii) of the Agreement dated 20.8.2020 provides for dispute resolution through Arbitration. The clause also provides that the proceedings shall be held at Mohali, Punjab.

4. A dispute having arisen, the petitioner served notice dated 8.11.2021. On failure of respondents to do the needful, the instant petition is filed.
5. At the outset learned counsel for the parties submitted that they have instructions from their respective clients that this Court may appoint any independent and impartial Arbitrator to decide the disputes between the parties.
6. Accordingly, Shri Ashok Paul Batra, Additional District & Sessions Judge (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Shri Ashok Paul Batra, Additional District & Sessions Judge (Retd.) under Section 12 of the Act with regard to his independence and impartiality to settle the disputes between the parties.
7. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended or as may be mutually settled by the parties and the Arbitrator.
8. As per agreement expressed by learned counsel for the parties, for the sake of the convenience of their respective clients, as also of the Arbitrator, the venue for the Arbitration shall be at Arbitration Centre, Mohali or at any other place convenient to all concerned.
9. After seeking convenience of the Arbitrator, the parties are directed to appear before him on 24.7.2023 at 11:00 A.M. or any other date suitable to all concerned.
10. A copy of this order be sent to the appointed Arbitrator at the given address :

H.No.171-172, Orbit Apartments,
H-Tower, 5th Floor,
Near Metro Wholesale,
VIP Road, Zirakpur,
Phone No.96464-79000

11. The petition is accordingly disposed of in the above mentioned terms.

06.07.2023

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No