

Arb. Case No. 66 of 2023

. 2023:PHHC:058775

[1]

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

Arbitration Case No. 66 of 2023

Date of decision: 25th April, 2023

M/s Square Outdoor Services

Petitioner

Versus

The Municipal Corporation, Faridabad and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Kunal Dawar, Advocate for the petitioner.
Mr. B. R. Mahajan, Advocate General, Haryana with
Mr. Samarth Sagar, Addl. AG, Haryana.

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 parties entered into a contract for display of advertisement in District Faridabad. Clause 19.2 of the general terms and conditions of the contract provides for dispute resolution through arbitration.
3. There was a dispute between the parties.
4. The petitioner served notice dated 2.12.2022. On failure of the respondents to do the needful, the present petition was filed.
5. Learned counsel for the parties agree that instead of an Arbitral Tribunal, a retired Judge of this court be appointed as sole arbitrator.
6. Accordingly, the present petition is disposed of by appointing Mr. Justice Rajiv Narain Raina, a retired Judge of this court, H. No. E/803

(GF), DLF- The Valley (Near Amravati Enclave), Pinjore Kalka Urban Complex, Sector 3, Panchkula 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.

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

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

9. 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.

10. Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

25th April, 2023

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