

2023:PHHC:150640

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

ARB-87-2022 (O&M)  
Date of Decision:-28.11.2023

M/s Service Master Clean Ltd. ... Petitioner  
Versus  
M/s Movie Time Cinemas Pvt. Ltd. ... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Shrey Goel, Advocate,  
for the petitioner.  
None for the respondent.

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**GURVINDER SINGH GILL, J.** (Oral)

1. The petitioner has approached this Court seeking appointment of an Arbitrator in terms of provisions of Section 11(6) of Arbitration and Conciliation Act, 1996.
2. Office has reported that the respondent stands duly served. However, none has put in appearance on behalf of the respondent. As such, the respondent is proceeded against *ex parte*.
3. The petitioner had entered into an agreement dated 8.1.2020 (Annexure P-3) with the respondent to provide house keeping service and in respect of which a dispute is stated to have arisen regarding payment of some amount. The

petitioner served a legal notice dated 29.12.2020 (Annexure P-6) upon the respondent for invocation of arbitration, but to no avail.

4. Condition No.21 of agreement 8.1.2020 (Annexure P-3) provides for dispute resolution through 'Arbitration'.
5. Since the agreement 8.1.2020 (Annexure P-3) specifically provides for resolution of disputes by way of arbitration and the petitioner had already served legal notice dated 29.12.2020 (Annexure P-6) upon the respondent so as to invoke arbitration clause, the instant petition is hereby accepted.
6. Accordingly, Shri K.C. Sharma, District & Sessions Judge, Haryana (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Shri K.C. Sharma, 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. The Arbitrator may conduct proceedings at Arbitration Centre, Chandigarh 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 22.12.2023 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 :

BB-2, VILLA-3, Ground Floor, VIP Floors,  
Sector 81, Faridabad, Haryana.  
Phone Nos.89303-37700, 79883-11414.

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

28.11.2023

pankaj

( Gurvinder Singh Gill )  
Judge

Whether speaking /reasoned                      Yes / No

Whether Reportable                                      Yes / No