

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

ARB-163-2021 (O&M)
Date of Decision:-13.12.2023

Shadowfax Technologies Pvt. Ltd.

... Petitioner

Versus

M/s SAS Tech Pvt. Ltd.

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Brajesh Kumar, Advocate for
Mr. Atul Goyal, Advocate, for the petitioner.

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 the Arbitration and Conciliation Act, 1996.
2. Notice of the petition had been issued. It is reported by the Registry that the respondent stands served. On the last date of hearing despite the fact that respondent already stood served, none had put in appearance. Even today,

there is no appearance on behalf of the respondent. The respondent, as such, is proceeded against *ex parte*.

3. It is the case of the petitioner that an agreement had been entered into between the petitioner and the respondent, as per which the petitioner was to render some services to the respondent. The agreement specifically provided for resolution of dispute by way of arbitration as per Clause 17 of the said agreement. A dispute having arisen, the petitioner invoked notice and served a notice dated 02.12.2020 (Annexure P-6) but to no avail.
4. Keeping in view the specific provision for resolution of disputes by arbitration in the agreement and the respondent not having chosen to contest the petition, the instant petition is allowed.
5. Accordingly, Sh. Arun Kumar Singal, District Judge, Haryana (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Sh. Arun Kumar Singal, District Judge, Haryana (Retd.) under Section 12 of the Act with regard to his independence and impartiality to settle the disputes between the parties.
6. 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.
7. The Arbitrator may conduct proceedings at Gurugram or at any other place convenient to all concerned.
8. After seeking convenience of the Arbitrator, the parties are directed to appear before him on 08.1.2024 at 11:00 A.M. or any other date suitable to all concerned.
9. A copy of this order be sent to the appointed Arbitrator at the given address :

C/o Sh. M.R. Singhal, A-61, Second Floor,
Palladians, Near Baani Square, Sector 47, Gurugram, Haryana.
Phone No.9991743666

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

13.12.2023
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No