

Arb. Case No. 44 of 2020 . 2023:PHHC:064798
[1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 44 of 2020
Date of decision: 5th May, 2023

Ranbir Singh Paul and another

Petitioners

Versus

Virender Sharma

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. T. K. Joshi, Advocate for the petitioners.
Mr. Keshav Partap Singh and Mr. Rajat Singh,
Advocates for the respondent.

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 partnership deed. Clause 15 of the general terms and conditions provides for dispute resolution through arbitration.
3. The petitioner served notice dated 1.12.2019 for appointment of arbitrator. On failure to do the needful, the present petition was filed.
4. Learned counsel for the respondents submits that liberty be granted to raise all the issues in arbitration proceedings.
5. Learned counsel for the parties agree to the appointment of Ms. Justice Sabina, Acting Chief Justice of Himachal Pradesh High Court (Retd.), as sole arbitrator.
6. The petition is accordingly disposed of by appointing Ms. Justice Sabina, Acting Chief Justice of Himachal Pradesh High Court (Retd.), H. No. 1842, Sector 34, Chandigarh as the sole arbitrator. The arbitrator is appointed subject to declaration to be made by her under Section 12 of the Act with regard to her 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.
10. Needless to say that respondent will be at liberty to raise all the issues in arbitration proceedings.
11. Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]

JUDGE

5th May, 2023

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1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No