

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

Arbitration Case No. 277 of 2021

Date of decision: 16th January, 2023

Amit Jain and another

Petitioners

Versus

Jai Pal and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Chanchal K. Singla, Advocate for the petitioners.
Mr. Jatinder Nagpal, Advocate for the respondents.

AVNEESH JHINGAN, J (Oral):

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.

There was dispute between the partners. The appointment of arbitrator is sought on the basis of clause 15 of partnership deed dated 16.3.2010.

Notice dated 19.2.2021 was issued by the petitioners for invoking arbitration.

Learned counsel for the respondents opposes the prayer and seeks liberty to raise all the issues including the issue of limitation before the arbitrator.

Both the parties are *ad idem* that the arbitrator with seat at Panipat be appointed.

The petition is accordingly disposed of by appointing Mr. R. C. Godara, District & Sessions Judge (Retd.), F1/15, Eldeco Society, Sector 41, Panipat as the sole arbitrator 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.

The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended. The fee of the arbitrator will be equally borne by both the parties.

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

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.

Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

16th January, 2023
mk

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