

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 147 of 2022 (O&M)

Date of decision: 22nd February, 2023

Amit Kumar and another

Petitioners

Versus

Vikrant Singh

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Imran Mohammad, Advocate for the petitioners.
Mr. Namit Khurana, Advocate for the respondent.

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.

The brief facts are that the petitioners entered into a partnership deed with the respondent. Clause 12 of the partnership deed provides for dispute resolution through arbitration.

There was a dispute between the parties.

The petitioner served legal notices dated 1.12.2021 and 28.2.2022 for appointment of the arbitrator. The needful having not been done, the present petition was filed.

Learned counsel for the parties agree to the appointment of Mr. Vimal Bakshi, District & Sessions Judge (Retd.) as sole arbitrator.

Accordingly, the present petition is disposed of by appointing Mr. Vimal Bakshi, District & Sessions Judge (Retd.), BDPO Residence near Kali Mata Mandir, Naraingarh, Ambala as sole arbitrator subject to declaration to be made by him under Section 12 of the Act with regard to

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.

Since the main case has been disposed of, pending applications, if any, stand disposed of.

Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

22nd February, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |