

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

ARB-149-2023 (O&M)
Date of Decision:-11.9.2023

Emulines Pvt. Ltd.

... Petitioner

Versus

Verbio India Pvt. Ltd.

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Rajni Narula, Advocate for the petitioner.

Ms. Maninee, Advocate for
Mr. Shekhar Verma, Advocate, for the respondent.

GURVINDER SINGH GILL, J.

1. The petitioner seeks appointment of an Arbitrator in terms of Section 11 of the Arbitration and Conciliation Act, 1996 (in short hereinafter referred to as 'the Act').
2. Admittedly, the parties had entered into an agreement dated 24.9.2020 (Annexure A-1) wherein the respondent M/s Verbio India Pvt. Ltd. had placed order with the petitioner M/s Emulines Pvt. Ltd. for installation and assembly of equipments in the Straw Bio-Methane Plant of the respondent at Bhutal Kalan, District Sangrur.
3. Clause 34 of the Agreement dated 24.9.2020 provides for resolution of dispute through Arbitration. A dispute having arisen, the petitioner served notice dated 27.12.2021 (Annexure A-4). On failure of respondent to do the needful, the instant petition is filed.

4. At the outset learned counsel for the parties submitted that they have instructions from their respective clients that this Court may appoint any independent and impartial Arbitrator to decide the disputes between the parties.
5. Accordingly, Shri Gurcharan Singh Saran, District & Sessions Judge (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Shri Gurcharan Singh Saran 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 venue for the Arbitration shall be at Arbitration Centre, Chandigarh 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 3.10.2023 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 :

H. No. 72, Punjab Judges and Officers Enclave,
Sector 77, Mohali,
Phone No. 9463594949
10. The petition is accordingly disposed of in the above mentioned terms.

11.9.2023

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**(GURVINDER SINGH GILL)
JUDGE**Whether speaking /reasoned
Whether ReportableYes / No
Yes / No