IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Arbitration Case No. 207 of 2022(O&M)
Date of decision: 24th January, 2023

Aarg Enterprises Pvt. Ltd.

Petitioner

Versus

Uconcepts Solutions LLP

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Deepak Jain, Advocate for the petitioner.

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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 petitioner entered franchise agreement with the respondent. Clause 22 of the agreement provided for dispute resolution through arbitration with jurisdiction at Gurgaon.

The petitioner raised a claim and served notice dated 1.4.2021 for appointment of an arbitrator. On failure to do the needful, the present petition was filed.

The respondent was proceeded against ex-parte vide order dated 12.12.2022.

Accordingly, the present petition is disposed of by appointing Mr. V. K. Maheshwari, Principal Judge Family Court (Retd.), H. No. 85, Sector 30, Gurugram 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.

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integrity of this document.

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

24th January, 2023
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1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No

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