

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

2023:PHHC:159762

ARB-475-2021

Date of Decision: 13.12.2023

ALM Infotech City Pvt. Ltd.

--Petitioner

Versus

Arth Fitness Studio

--Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL.

Present:- Mr. Animesh Sharma, Advocate for the
petitioner.

GURVINDER SINGH GILL.J (Oral)

1. The petitioner has approached this Court seeking appointment of an Arbitrator in terms of provisions of Section 11 of Arbitration and Conciliation Act, 1996.

2. It is the case of the petitioner that the petitioner is the owner of premises which were given to the respondent vide License Agreement dated 17.10.2018 Annexure P-1(colly). The said agreement specifically provided for resolution of disputes by way of arbitration. A dispute having arisen, the petitioner invoked arbitration and served notice dated 28.11.2020 (Annexure P-3) but to no avail.

3. Having heard counsel for the petitioner and having perused the averments made in the petition which have not been controverted as the respondent has been proceeded against ex-parte, this Court is of the opinion that in view of the specific provision for arbitration in the License Deed, the petition merits acceptance and is hereby accepted.

4. Accordingly, Sh. Arun Kumar Singal, District & Sessions Judge (Retd.), Haryana, is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Sh. Arun

Kumar Singal, District & Sessions Judge (Retd.), Haryana under Section 12 of the Act with regard to his independence and impartiality to settle the disputes between the parties.

5. 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.

6. The Arbitrator shall conduct proceedings at Gurugram or at any other place convenient to all concerned.

7. After seeking convenience of the Arbitrator, the parties are directed to appear before him on 9.1.2024 at 11:00 A.M. or any other date suitable to all concerned.

8. A copy of this order be sent to the appointed Arbitrator at the given address :

Sh. Arun Kumar Singal,
District & Sessions Judge (retd.)
C/o Sh. M.R. Singhal, A-61, Second Floor,
Palladians, Near Baani Square, Sector 47,
Gurugram, Haryana.
Ph. 9991743666

9. The petition is accordingly disposed of in the above mentioned terms.

(GURVINDER SINGH GILL)
JUDGE

13.12.2023

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No