

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

ARB-201-2022 (O&M)
Date of Decision:- 7.7.2023

Darshana ... Appellant
Versus
Gurmeet Kaur and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shahin Hassan, Advocate for the petitioner.
Mr. Varun Katyal, Advocate for the respondent.

GURVINDER SINGH GILL, J.

1. The present petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (in short hereinafter referred to as 'the Act') for appointment of an Arbitrator.
2. Admittedly, the parties had entered into an agreement dated 28.1.2018 wherein the respondents agreed to sell agriculture land measuring 38 marlas (1140 Square Yards) to the appellant.
3. Clause 9 of the Agreement dated 28.1.2018 provides for dispute resolution through Arbitration. The clause also provides that the proceedings shall be held at local Court.
4. A dispute having arisen, the petitioner served notice dated 3.3.2022 for appointment of Arbitrator. On failure of respondents to do the needful, the instant petition is filed.

5. 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.
6. Accordingly, Sh. B.M. Bedi, District & Sessions Judge (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Sh. B.M. Bedi, District & Sessions Judge (Retd.) under Section 12 of the Act with regard to his independence and impartiality to settle the disputes between the parties.
7. 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.
8. The venue for the Arbitration shall be at Arbitration Centre, Chandigarh or at any other place if convenient to all concerned.
9. After seeking convenience of the Arbitrator, the parties are directed to appear before him on 24.7.2023 at 11:00 A.M. or any other date suitable to all concerned.
10. A copy of this order be sent to the appointed Arbitrator at the given address:
- House No.22,
Sector 4, Panchkula,
Phone No.80543-81862
11. The petition is accordingly disposed of in the above mentioned terms.

7.7.2023

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(GURVINDER SINGH GILL)**JUDGE**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No