

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 320 of 2022
Date of decision: 31st January, 2023

Sarvesh Security Services Pvt. Ltd.

Petitioner

Versus

Employees State Insurance Corporation

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Nishant Jindal, Advocate for the petitioner.
Mr. Sehaj Mahajan, 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 petitioner was allotted tender for providing housekeeping services. Clause 16 of the general terms and conditions provides for dispute resolution through arbitration. As per the clause, the arbitration proceedings are to be held at Chandigarh.

The petitioner served notice dated 25.1.2022. The needful having not been done, the present petition was filed.

Learned counsel for the respondents submits that arbitrator at Chandigarh be appointed as is provided in the agreement.

Accordingly, the present petition is accordingly disposed of by appointing Mr. Sanjeev Kumar Garg, District & Sessions Judge (Retd.), H. No. 518, IAS/PCS Society, Mullanpur, New Chandigarh as the 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

31st January, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |