

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 395 of 2021
Date of decision: 10th January, 2023

Mansha Arora

Petitioner

Versus

Sugam Arora

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sahej Mahajan, Advocate for the petitioner.

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 a partner in the firm M/s Vasu Fashions. Clause 20 of the partnership deed is reproduced below:

“20) That in the case of any dispute between the partners, the dispute will be referred to arbitrator mutually decided by the partners award given by the arbitrator will be binding on the partners.”

Notice dated 6.5.2021 was issued by the petitioner for invoking arbitration. Thereafter the present petition has been filed.

None appeared for the respondent despite service. She was proceeded against ex-parte vide order dated 29.10.2021.

Considering that it would be convenient for both the parties to have arbitration proceedings at Chandigarh, the petition is accordingly disposed of by appointing Ms. Justice Raj Rahul Garg, former Judge of this court, H. No. 266, Sector 21, Panchkula as the sole arbitrator. The arbitrator is appointed subject to declaration to be made by her under

Section 12 of the Act with regard to her 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 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.

Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

10th January, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |