

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

Arbitration Case No. 438 of 2021

Date of decision: 16th January, 2023

Yatra Online Private Ltd.

Petitioner

Versus

Semac Consultants Pvt. Ltd.

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sachin Ohri, 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.

Service provider agreement was entered between the parties on 1.2.2016. Clause 13.10 of the agreement provides for dispute resolution mechanism through arbitrator at Gurgaon.

The petitioner gave notice dated 15.5.2019. On failure to do the needful, the present petition was filed.

None appeared for the respondent despite service. The respondent was proceeded against ex-parte on 14.3.2022.

The petition is accordingly disposed of by appointing Dr. Shiva Sharma, District & Sessions Judge (Retd.), H. No. 195, Sector 56, (HUDA), 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.

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

16th January, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |