

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 454 of 2021

Date of decision: 12th January, 2023

M/s Elle Florist, Kutail, Karnal

Petitioner

Versus

State of Haryana and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: None for the petitioner.
Mr. Sharad Aggarwal, AAG, Haryana.

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 successful bidder in an auction. Clause 34 of the auction terms provides for dispute resolution through arbitration.

The respondents had earlier appointed three arbitrators which were objected to and thereafter the present petition was filed.

Learned counsel for the respondents on instructions submits that in order to avoid any further complication, the respondents volunteer that an arbitrator be appointed under Section 11 of the Act with a seat at Chandigarh.

Accordingly, the present petition is disposed of by appointing Mr. Kuldip Kumar Kareer, District and Sessions Judge (Retd.), H. No. 262, Sector 7, Chandigarh 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 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.

Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]

JUDGE

12th January, 2023

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1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No