

2023:PHHC:055300
Arbitration Case No. 210 of 2019 [1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 210 of 2019
Date of decision: 20th April, 2023

M/s Terrier Utility Services Pvt. Ltd.

Petitioner

Versus

Employees State Insurance Corporation (E.S.I.C.), Hospital & another
Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Atul Kaushik, Advocate for the petitioner.

AVNEESH JHINGAN, J (Oral):

1. 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.
2. The petitioner was allotted work to supply security and allied systems and housekeeping services. Clause 44 of the general terms and conditions of agreement provides for dispute settlement for arbitration.
3. There was a dispute between the parties.
4. The petitioner raised the claim vide notice dated 30.12.2017. Thereafter, notice dated 13.5.2019 under Section 21 of the Act was served for invoking arbitration. On failure to do the needful, the present petition was filed.
5. The respondents were proceeded against *ex parte* vide order dated 16.2.2023.
6. Accordingly, the petition is disposed of by appointing Mr. Sunil Kumar Arora, District & Sessions Judge (Retd.),

H. No. 61, Panchsheel Vihar, Barewal Road near Magnet Resort, Ferozepur Road, Ludhiana as the sole arbitrator. The arbitrator is appointed subject to declaration to be made by his under Section 12 of the Act with regard to his independence and impartiality to settle the dispute between the parties.

7. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

8. The arbitrator is requested to complete the proceedings as per time limit specified under Section 29A of the Act.

9. 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.

10. Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

20th April, 2023
mk

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No