

Arbitration Case No. 429 of 2022

[1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 429 of 2022 (O&M)

Date of decision: 13th February, 2023

M/s Euthoria Developers Pvt. Ltd.

Petitioner

Versus

Punjab State Power Corporation Ltd. & another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.T. K. Joshi, Advocate for the petitioner.
Mr. Anmol Puri, Advocate for the respondents.

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 entered into a franchise agreement. Clause 19 of the general terms and conditions provides for dispute resolution through arbitration.

The dispute arose between the parties.

The petitioner served notice dated 19.5.2022. The needful having not been done, the present petition was filed.

Prima facie there is dispute between the parties. Clause of the arbitration is also not disputed.

Learned counsel for the parties agree to the appointment of Ms. Justice Navita Singh (Retd.) Judge of this court as an arbitrator.

Accordingly, the present petition is disposed of by appointing Ms. Justice Navita Singh (Retd.) Judge of this court, H. No. 309, Jaishree Tower, Swastik Vihar, MDC-5, Panchkula as the sole arbitrator subject to declaration to be made by her 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

13th February, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No-+ |