

Arbitration Case No. 332 of 2022

[1]

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

Arbitration Case No. 332 of 2022

Date of decision: 13th January, 2022

Raj Kumar Goplani and another

Petitioners

Versus

Byeshare Technologies Pvt. Ltd.

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Shubham, Advocate for the petitioners.
Mr. Virenderpal, Advocate for the respondent.

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.

A lease agreement was entered between the parties. Clause 15 of the general terms and conditions of agreement provides for dispute resolution mechanism.

Notice dated 6.6.2022 was issued by petitioners for invoking arbitration. As the needful was not done, the present petition was filed.

Learned counsel for the parties are not in a position to dispute that there is a clause of arbitration.

The petition is accordingly disposed of by appointing Mr. C. B. Jaglian, District & Sessions Judge (Retd.), Flat No. D-503, Alaknanda CGHS, Plot No. GH-45, Sector 56, 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 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.

13th January, 2023

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[AVNEESH JHINGAN]

JUDGE

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No