

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 539 of 2021

Date of decision: 12th January, 2023

M/s Interarch Building Products Pvt. Ltd.

Petitioner

Versus

M/s Voith Paper Fabrics India Ltd.

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rahul Verma, Advocate for the petitioner.
Mr. Varun Sharma, 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.

Reply filed on behalf of the respondent is taken on record.

It is not disputed between the parties that as per Clause 17 of the agreement entered between the parties, there is mechanism for dispute resolution.

The petitioner gave notice dated 15.7.2021. On failure to do the needful, the present petition was filed.

Learned counsel for the respondent submits that arbitrator with seat at Faridabad be appointed.

Accordingly, the present petition is disposed of by appointing Mr. K. C. Sharma, District & Sessions Judge (Retd.), BB-2, VILLA-3, Ground Floor, VIP Floors, Sector 81, Faridabad 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 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.

12th January, 2023

mk

[AVNEESH JHINGAN]

JUDGE

1. Whether speaking/ reasoned

:

Yes / No

2. Whether reportable

:

Yes / No