

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

DECIDED ON: 11th January, 2023

(1) ARB-258 of 2020 (O&M)

Sanjeev Sachdeva

.....PETITIONER

VERSUS

Rajesh Puri and another

.....RESPONDENTS

(2) FAO-3039-2020 (O&M)

Sanjeev Sachdeva

.....APPELLANT

VERSUS

Rajesh Puri and another

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Sukesh K. Jindal, Advocate for petitioner.

Mr. Vivek Singla, Advocate for respondents.

AVNEESH JHINGAN, J (ORAL)

Arbitration Case No. 258 of 2020 is filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (As amended upto date) (for short 'the Act') for appointment of an Arbitrator in terms of clauses of the agreement to sell dated 21.12.2019 as Clause-11 of the Agreement to sell provides for dispute resolution through arbitration by appointing a sole Arbitrator.

FAO No. 3039 of 2020 is filed for setting aside the order dated 9.12.2020 passed by Additional District Judge, Gurugram.

The brief facts are that the petitioner-appellant entered into an agreement to sell dated 21.12.2019 with regard to the property situated at Gurugram. The date of execution of agreement was 15.4.2020. The agreement was terminated on 29.10.2020. Petitioner responded to the termination of agreement by reply dated 20.5.2020. Thereafter, the respondent appointed the Arbitrator on 23.11.2020. On 22.11.2020, the petitioner filed a petition under

of the Act was dismissed vide order dated 9.12.2020. On 29.11.2020, the petitioner raised objection before the Arbitrator *viz-a-viz* his appointment. On 23.11.2020, the arbitration award was passed. On 2.12.2020 the present petition was filed for appointment of an Arbitrator. In the interregnum the objection under Section 34 of the Act against the award of the arbitrator were filed before the District Judge and are still pending.

Learned counsel for the petitioner-appellant after vehemently arguing seeks permission to withdraw the present petition and appeal with liberty to approach the District Judge, for expeditious disposal of Objection under Section 34 of the Act and to approach for the interim relief.

Dismissed as withdrawn with liberty as prayed for.

There is no doubt that in case a request is made before the Court concerned for expeditious disposal of the objection under Section 34 of the Act, the same would be considered in accordance with law and would be disposed of expeditiously preferably not later than three months from the date fixed.

Since the main cases have been withdrawn, pending application, if any is rendered infructuous.

Photocopy of this order be placed on the file of connected case.

11th January, 2023

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>