

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

**Arbitration Case No. 375 of 2022
Date of decision: 30th January, 2023**

M/s Anesthetic Gases Pvt. Ltd.

Petitioner

Versus

Post Graduate Institute of Medical Education & Research, Chandigarh

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Viren Sibal, Advocate for the petitioner.
Ms. Madhu Dayal, 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.

The petitioner was allotted tender for supplying medical nitrous oxide in cylinders. Clause 34 of the general terms and conditions provides for dispute resolution through arbitration.

There was a dispute between the parties.

The petitioner served notice dated 18.5.2022 under Section 21 of the Act. The needful having not been done, the present petition was filed.

Learned counsel for the parties agree retired District/Addl. Distt. & Sessions Judge at Chandigarh be appointed sole arbitrator.

Accordingly, the present petition is accordingly disposed of by appointing Mr. Karnail Singh Ahhi, District & Sessions Judge (Retd.), H. No. 1193, Sector 43B, Chandigarh as the sole arbitrator subject to declaration to be made by him 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

30th January, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |