

2023:PHHC:067736

Arbitration Case No. 403 of 2022

[1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 403 of 2022

Date of decision: 10th May, 2023

Jagdish Mitter Gupta and others

Petitioners

Versus

Ram Krishan Grover

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. C. S. Pasricha and Mr. Gulshan Mehta, Advocates
for the petitioners.
Mr. Kailash Chander, Advocate for the respondent.

AVNEESH JHINGAN, J (Oral):

1. 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.
2. The parties entered into a lease agreement. Clause 22 of the general terms and conditions provides for dispute resolution through arbitration.
3. The petitioner issued notice dated 23.9.2022 for appointment of arbitrator. On failure to do the needful, the present petition was filed.
4. Learned counsel for the respondent seeks liberty to raise all the issues in arbitration proceedings at the appropriate stage.
5. Learned counsel for the parties on instructions from the clients agree to the appointment of Ms. Shashi Bala Chauhan, District & Sessions Judge (Retd.) as sole arbitrator.
6. The petition is accordingly disposed of by appointing Ms. Shashi Bala Chauhan, District & Sessions Judge (Retd.), village Sarmathla, P.O. Ghangola, Tehsil Sohna, District Gurugram as the sole arbitrator. The arbitrator is appointed subject to declaration to be made by her under Section 12 of the Act with regard to her independence and

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impartiality to settle the dispute between the parties.

- 7. The respondent shall be at liberty to raise all the issues in arbitration proceedings at the appropriate stage.
- 8. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.
- 9. The arbitrator is requested to complete the proceedings as per time limit specified under Section 29A of the Act.
- 10. It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement.
- 11. Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

10th May, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |