

Arbitration Case No. 610 of 2021 and connected cases [1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Date of decision: 21st April, 2023

(1) Arbitration Case No. 610 of 2021

Vibha Aggarwal and another

Petitioners
Versus

Vatika Limited

Respondent

(2) Arbitration Case No. 611 of 2021

Ratna Goel and another

Petitioners
Versus

Vatika Limited

Respondent

(3) Arbitration Case No. 612 of 2021

Achla Garg and another

Petitioners
Versus

Vatika Limited

Respondent

(4) Arbitration Case No. 613 of 2021

Pankaj Goel (HUF) and another

Petitioners
Versus

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Vatika Limited Respondent

(5) Arbitration Case No. 614 of 2021

Sarla Goel and another

Petitioners

Versus

Vatika Limited

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Aerika Singh, Advocate for the petitioners.
Mr. Raj Kumar, Advocate for the respondent.

AVNEESH JHINGAN, J (Oral):

1. This order shall dispose of the above mentioned five petitions as the facts and issues involved therein are similar.
2. However, the facts are being taken from Arbitration Case No. 610 of 2021
3. 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.
4. The petitioners entered into builder buyer agreement with the respondent for purchase of a unit in the project Vatika Trade Centre. Clause 38 of the general terms and conditions of agreement provides for dispute settlement for arbitration.
5. There was a dispute between the parties.
6. The petitioner served notice dated 8.8.2020 for invoking

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arbitration. On failure to do the needful, the present petition was filed.

7. Learned counsel for the parties agree to the appointment of Mr. K. C. Sharma, District & Sessions Judge (Retd.) as sole arbitrator.

8. Accordingly, the 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. The arbitrator is appointed 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.

9. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

10. The arbitrator is requested to complete the proceedings as per time limit specified under Section 29A of the Act.

9. 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.

10. Copy of the order be sent to the appointed arbitrator.

11. Photo copy of the order be placed on the file of each connected petition.

[AVNEESH JHINGAN]
JUDGE

21st April, 2023
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1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No