

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 462 of 2022

Date of decision: 3rd March, 2023

Akshay Muwal

Petitioner

Versus

M/s J. K. Builders and Stone Crusher and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: None for the petitioner.

Mr. Sumit Sangwan, Advocate for the respondents.

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 parties entered into a partnership deed. Clause 12 of the general terms and conditions provided for pre-arbitration and dispute resolution through arbitration.

There was a dispute between the parties.

The petitioner served notice dated 29.7.2022. The needful having not been done, the present petition was filed.

Prima facie, there is disputed between the parties.

The petition is accordingly disposed of by appointing Mr. D. S. Sheoran, District & Sessions Judge (Retd.), H. No. 98, Adarsh Nagar, Bhiwani as sole arbitrator.

The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended or as may be mutually settled by the parties and the Arbitrator.

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.

Copy of the order be sent to the appointed arbitrator.

3rd March, 2023

mk

[AVNEESH JHINGAN]

JUDGE

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No