

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

ARB-164-2022

Date of Decision: 24th March, 2023

Amit Gahlayan

... Petitioner

Versus

M/s. Vanky (India) Ltd. and another

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Taksham Jain, Advocate for
Mr. Rahul Jaswal, Advocate for the petitioner.

Mr. Sumit Jain, Advocate for the respondent.

AVNEESH JHINGAN , J.(Oral)

1. This is a petition under Section 11(6) 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 petitioner placed a purchase order for supply of pullets/chickens. Clause 15 of the general conditions of the contract provides for dispute resolution through arbitration.
3. The petitioner raised claim vide order dated 21.8.2019 and served notice under Section 21 of the Act on 20.9.2019. The needful having not been done, the present petition was filed.
4. Learned counsel for the parties agree to the appointment of Mr. Mahender Singh, Addl. District & Sessions Judge (Retd.), as sole arbitrator.
5. Accordingly, the present petition is accordingly disposed of by appointing Mr. Mahender Singh, Addl. District & Sessions Judge (Retd.), # H. No. GL-195, TDI, Smart City, Sector-118, Mohali 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.

6.

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.
7.

The arbitrator is requested to complete the proceedings as per time limit specified under Section 29A of the Act.
8.

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.
9.

Since the main case has been disposed of, pending applications, if any, stand disposed of.
10.

Copy of the order be sent to the appointed arbitrator.

(AVNEESH JHINGAN)
JUDGE

24th March, 2023
mk/anuradha

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No