IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

Arb. Case No.861 of 2023
Decided on: 20.12.2024

Man Singh .....Petitioner

Versus

State of Himachal Pradesh & Anr. ...Respondents

Coram

Hon'ble Mr. Justice Tarlok Singh Chauhan, Acting Chief Justice.

Whether approved for reporting?[1]

For the petitioner: Ms. Ritu Sharma, Advocate.

For the respondents: Mr. Rakesh Dhaulta, Additional Advocate General and Ms. Priyanka Chauhan, Deputy Advocate General.

Tarlok Singh Chauhan, Acting Chief Justice *(Oral)*

This application has been filed by the applicant under Section 11(6) of the Arbitration and Conciliation Act, 1996 (in short the ***'Act'***), for appointment of an Arbitrator to settle the dispute between the parties, arising out of the Agreement **(Annexure P-2)**.

2. Clause 25 of the said Agreement (Annexure P-2) contains Arbitration Clause for disposal of dispute between the parties. The applicant sent a notice/request dated 20.06.2023 (**Annexure P-3)**, requesting the respondents for appointment of an Arbitrator, but the respondents have not taken any action.

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[1] *Whether the reporters of Local Papers may be allowed to see the judgment?*

3. Since the applicant has filed an application seeking appointment of an Arbitrator, therefore, having regard to the facts and circumstances of the case, the application is allowed and **Mr. S.K. Chaudhary, District & Sessions Judge (Retd.), House No.98-99, Mission Compound, Palampur, District Kangra, H.P., Pin Code:176061,** is appointed as an Arbitrator to adjudicate the dispute between the parties, after his disclosure in writing is obtained in terms of Section 11(8) of the Act, and only after receipt thereof, his appointment as an Arbitrator, shall come into force.

4. On his giving consent to arbitrate the dispute between the parties as an Arbitrator, Mr. S.K. Chaudhary, District & Sessions Judge (Retd.), shall enter into reference, and shall pass an award in accordance with law.

5. Copy of this order be furnished to the learned counsel for the parties and also furnished to the learned Arbitrator. The learned Arbitrator so appointed shall be entitled to fee as per stipulation contained in 4th Schedule appended to the Act.

6. The application is disposed of accordingly, so also pending application(s), if any.

December 20, 2024 **(Tarlok Singh Chauhan)**
(Yashwant) **Acting Chief Justice**