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

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Date of Decision: 23.10.2024

Atul Walia

...Applicant

Versus

SGI Power Limited

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Karan Gaba, Advocate for the applicant

Mr. Mrigank Sharma, Advocate for the respondent

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicant is seeking appointment of an Arbitrator.
2. The applicant was approached by the respondent vide engagement letter dated 10.08.2023 (Annexure P-1) for the purposes of providing his expert consultancy. A dispute erupted between the parties. There is an arbitration clause in the aforesaid letter. The issuance of aforesaid letter, arbitration clause in letter and service of demand notice is not disputed.
3. Reply filed by the respondent is taken on record. Registry is directed to tag the same at an appropriate place.
4. Learned counsel for the respondent disputes claim of the applicant. He further submits that if this Court makes appointment of an Arbitrator, the respondent may be granted an opportunity to raise all the issues before the Arbitral Tribunal.



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5. Conditions to invoke power conferred by Section 11(6) of 1996 Act stand satisfied, thus, I hereby appoint a sole Arbitrator to adjudicate the dispute between the parties.

6. Mr. Ashok Kumar Singla, District & Sessions Judge (Retd.), residing at House No.486, Punjab IAS PCS Colony, Mullanpur, New Chandigarh 140901, Mobile Nos.9417376110 and 7888329582 is hereby appointed as a Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory requirements. The learned Arbitrator is requested to comply with mandate of Section 12 of 1996 Act before proceeding further.

7. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.

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 29-A of the 1996 Act.

10. Needless to mention, parties would be at liberty to raise all the claims/defences/counter claims/pleas before the Arbitrator. Any observation made hereinabove will not be binding on the learned Arbitrator.

11. A request letter along with copy of this order be sent to Mr. Ashok Kumar Singla.

(JAGMOHAN BANSAL)
JUDGE

23.10.2024*Mohit Kumar*

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