



ARB-82-2024 (O&M)

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

(271-2)

ARB-82-2024 (O&M)

Date of decision:- 07.05.2024

Sudhir Khosla and another

... Petitioners

Versus

M/s K.S.Propmart Private Limited

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Anil Kumar Sharma, Advocate for the petitioners.

SUVIR SEHGAL, J. (ORAL)

1. By way of instant petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short "the Act"), petitioner has approached this Court for appointment of an Arbitrator in terms of Memorandum of Understanding dated 26.10.2020, Annexure P-1.
2. Upon notice, respondent has appeared through Mr. Vijay Kadyan, Advocate, who has filed Power of Attorney as well as the resolution passed by the Board of Directors of the respondent-company, which are taken on record. Upon instructions received from Mr. Vijay Mehta, Authorized Representative of the respondent-company, he submits that respondent does not have any objection in case the prayer made in the petition is accepted.
3. Accordingly, petition is allowed. Sh. Raj Kumar, District & Sessions Judge (Retd.), resident of S-18/1A, DLF Phase-3, Gurugram,



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Haryana, Mobile Nos. 9996746664 and 7290917383 is appointed as the sole Arbitrator to adjudicate the dispute between the parties, subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to adjudicate the dispute.

- 4. Parties are directed to appear before the Arbitrator on 30.05.2024 at 11:00 A.M. at the address mentioned above or at any other place, time or date to be fixed by the Arbitrator.
- 5. Fee shall be paid in accordance with the Fourth Schedule of the Act, as amended.
- 6. Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the Act.
- 7. Liberty is granted to the parties to raise all claims, counter claims, defences, pleas etc. before the Arbitrator.
- 8. Needless to mention that all the questions arising between the parties in this matter shall remain open for determination in the arbitral proceedings and any observation made hereinabove will not be binding on the learned Arbitrator.
- 9. Copy of the order be sent to the appointed Arbitrator.
- 10. Pending application, if any, stands disposed of.

(SUVIR SEHGAL)
JUDGE

07.05.2024
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No