

ARB-115-2022

-1-

107-3

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ARB-115-2022

Date of decision:-24.01.2024

Mahindra HZPC Private Ltd.

...Petitioner

Versus

Mr.Abhiram Veer

...Respondent

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Angel Sharma, Advocate
for the petitioner.

Respondent ex-parte by order dated 19.10.2023.

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 to adjudicate the disputes between the parties, which have arisen out of Potato Multiplication Agreement dated 25.10.2019, Annexure P3.

2. By order dated 19.10.2023, respondent was proceeded against ex-parte. Arbitration Clause is provided in Clause 26 of agreement. Petitioner has served a notice dated 06.10.2021, Annexure P5 invoking the arbitration clause, however no response has been received from the respondent.

3. I have heard counsel for the petitioner. Respondent has been served and was proceeded against exparte. Therefore, there is no opposition to the petition.

107-3

4. Accordingly, petition is allowed. Sh.Bal Krishan Mehta, District & Sessions Judge (Retd.), House No.5601, Sector 38 (W), Chandigarh, (M: 8872419600), 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 between the parties.

5. Parties are directed to appear before the Arbitrator on 27.02.2024 at 11:00 A.M. at the address mentioned above or at any other place to be fixed by the Arbitrator.

6. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

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

8. Needless to mention, respondents will be at liberty to raise all the pleas before the Arbitrator.

9. Copy of the order be sent to the appointed learned Arbitrator.

(SUVIR SEHGAL)
JUDGE

24.01.2024

Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No