

**ARB-93-2024****-1-**

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

246**ARB-93-2024****Date of Decision: 18.12.2024****M/s Horizon Design Studio Private Limited****...Applicant**

Versus

Ram Avtar Yadav and others**...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Sukhandeep Singh, Advocate
for Mr. Lokesh Sinhal, Advocate the applicant
Mr. Amit Jain, Advocate for respondent Nos.1 and 3
Mr. Ram Avtar Yadav-respondent No.1 in person
Mr. Ram Lal Yadav, Advocate for respondent No.2

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 parties entered into a Collaboration (Development) Agreement dated 28.08.2012 (Annexure P-1). A dispute erupted between the parties. There is an arbitration clause in aforesaid agreement. The execution of agreement, arbitration clause therein and service of notice under Section 21 of 1996 Act is not disputed.
3. Learned counsel for respondent Nos.1 and 3 submits that he leaves it to this Court to make appointment of an independent Arbitrator, however, respondents may be permitted to raise all issues before the Arbitral Tribunal.

**ARB-93-2024****-2-**

4. 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.

5. Mr. Justice Ajay Kumar Mittal, Former Chief Justice of Madhya Pradesh High Court, residing at House No.26, Sector 4, Chandigarh-160001, Mobile No.9780008112 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.

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

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

8. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

9. 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.

10. A request letter along with copy of this order be sent to Mr. Justice Ajay Kumar Mittal.

(JAGMOHAN BANSAL)
JUDGE

18.12.2024*Mohit Kumar*

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