

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

222

ARB-295-2021

Date of Decision:31.01.2024

AASHISH K BHATT

... Petitioner

Vs

APPCODE TECHNOLOGIES PVT LTD.

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Gaurav Gupta, Advocate for the petitioner.

Mr. Tushar Sharma, Advocate for the respondent.

SUVIR SEHGAL, J.(ORAL)

By way of present petition filed under Section 11 of Arbitration and Conciliation Act, 1996 (for short 'the Act'), petitioner has approached this Court for appointment of a third Arbitrator to adjudicate the disputes/differences between the parties.

2. Notice of the petition was issued to the respondent, who upon service has appeared through a counsel. He has conceded the existence of the arbitration clause in the agreement Annexure P-1.

3. A joint statement has been made by counsel representing the parties that although the arbitration clause provides for appointment of Arbitral Tribunal consisting of three members, but they are in agreement that the dispute may be referred for resolution to a single Arbitrator.

4. In view thereof, prayer made in the petition is accepted.
5. Mr. K.C. Sharma, District & Sessions Judge (Retd.), BB-2, Villa-3, Ground Floor, VIP Floors, Sector 81, Faridabad, Mobile No. 8930337700 is appointed as an Arbitrator 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.
6. Parties are directed to appear before the Arbitrator on 06.03.2024 at 11:00 am at the address mentioned above or at any other place to be fixed by the Arbitrator.
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 Act.
9. Needless to mention, respondents will be at liberty to raise all the pleas before the Arbitrator.
10. Copy of the order be sent to the appointed Arbitrator.

31.01.2024
pooja saini

(SUVIR SEHGAL)
JUDGE

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