

ARB-192-2023(O&M)

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105+220

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ARB-192-2023(O&M)
Date of decision:-05.04.2024

Sanderson Theme Construction Pvt. Ltd.

...Petitioner

Versus

IREO Hospitality Company Pvt. Ltd.

...Respondent

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Prashant Rana, Advocate
for the petitioner.

Mr.Gurmohan Singh Bedi, Advocate and
Mr.Anand Vardhan Khanna, Advocate
for the respondent.

SUVIR SEHGAL, J.(ORAL)

CM-6219-CII-2024

Prayer in this application filed under Order 9 Rule 7 read with Rule 13 and Section 151 CPC is for setting aside of order dated 05.10.2023 whereby applicant/respondent has been ordered to be proceeded against ex-parte.

For the reasons given in the application, it is allowed. Order

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dated 05.10.2023 is recalled. Applicant/respondent is permitted to join the proceedings.

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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 dispute between the parties.
2. Counsel for the parties are ad-idem that the parties have entered at an agreement, which contains arbitration clause. A joint request has been made by counsel for the parties for appointment of a sole Arbitrator at Delhi to resolve the difference between the parties.
3. In view of the above, petition is allowed. Mr. Justice Adarsh Kumar Goel Former Judge of Supreme Court of India, r/o C-2/24, Safdarjung Development Area, New Delhi -110016, M: 9910213040, is requested to act as an Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory requirements.
4. Parties are directed to appear before the learned Arbitrator on the date, time and place to be fixed and communicated by the learned Arbitrator at his convenience.
5. Needless to mention, respondents will be at liberty to raise all the pleas/defences before the Arbitrator.
6. A request letter be send to Mr. Justice Adarsh Kumar Goel (Retd.) alongwith a copy of this order.

(SUVIR SEHGAL)
JUDGE

05.04.2024

Brij

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