

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 01.03.2024

1) Arbitration Case No. 101 of 2020 (O&M)

M/s Arihant Infra Realtors Pvt. Ltd. ...Applicant(s)

Versus

Municipal Corporation, Faridabad ...Respondent(s)

2) Arbitration Case No. 102 of 2020 (O&M)

M/s Meenal Housing Private Ltd. ...Applicant(s)

Versus

Municipal Corporation, Faridabad ...Respondent(s)

3) Arbitration Case No. 105 of 2020 (O&M)

M/s Icon Realcon Pvt. Ltd. ...Applicant(s)

Versus

Municipal Corporation, Faridabad ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA, ACTING CHIEF JUSTICE

Present : Mr. A.S.Talwar, Advocate, for the petitioners in
Arb. Case Nos. 102 and 105-2020.

Mr. Prateek Sodhi, Advocate and
Mr. Manoj Singla, Advocate, for the petitioners in
Arb. Case No. 101-2020.

Mr. Samarth Sagar, Advocate with
Mr. Sankalp Sagar, Advocate, for the respondent-
Municipal Corporation, Faridabad.

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G.S.SANDHAWALIA, ACTING CHIEF JUSTICE (ORAL)

All these petitions under Section 11 of the Arbitration and
Conciliation Act, 1996 have been filed by the petitioner-company seeking
appointment of an arbitrator for adjudication of the disputes and differences
between the parties as the dispute is *inter-se* connected.

2. On 16.02.2024, this Court proposed to appoint Justice Jai Shree Thakur, former Judge of this Court, as an Arbitrator to adjudicate upon the disputes and differences between the parties in all the three petitions since the dispute is *inter-se* connected. The declaration of the proposed Arbitrator was sought which has been received and learned counsel for the parties have no objection to her appointment as an Arbitrator.

3. In view of the aforesaid position, Justice Jai Shree Thakur, former Judge of this Court, is appointed as Arbitrator in all the three petitions to adjudicate upon the disputes and differences between the parties

4. All the petitions are accordingly, disposed of.

FAO Nos. 12-2021, 14-2021 and 15-2021 (O&M)

On 16.02.2024, a detailed order was passed by this Court in Arbitration Case Nos. 101-2020 and other connected matters. Para No. 16 of the said interim order reads as under:-

“16. Keeping in view the fact that the arbitrator has been appointed in all the three petitions filed by the developers, the FAOs Nos.12-2021, 14-2021 and 15-2021 filed by the Municipal Corporation, Faridabad against the order dated 09.10.2020 passed by the Additional District Judge, Faridabad have been rendered infructuous. It will be open for the parties to file an appropriate application before the Arbitrator to seek interim relief. The registry will take appropriate orders in the said FAOs and thereafter all the FAOs be listed for hearing before this Bench on 01.03.2024.”

5. In view of the orders passed today in Arbitration Case Nos. 101-2020 and connected matters, all the aforesaid FAOs Nos. 12-2021, 14-2021 and 15-2021 filed by the Municipal Corporation, Faridabad against the order dated 09.10.2020 passed by Additional District Judge, Faridabad have been rendered infructuous and are disposed of accordingly.

6 A copy of this order be placed in the connected files as well as in

FAOs No. 12-2021, 14-2021 and 15-2021.

(G.S.SANDHAWALIA)
ACTING CHIEF JUSTICE

01.03.2024

ravinder

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