



ARB-193-2024

-1-

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

250

ARB-193-2024

Date of Decision: 06.09.2024

M/s Terracis Technologies Limited

...Applicant

Versus

Excise and Taxation Technical Service Agency

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Vikrant Rana, Advocate for the applicant

Mr. Jagtar Kureel, Advocate for the respondent

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 applicant was allotted work by the respondent and thereafter, a Master Services Agreement dated 15.05.2017 (Annexure P-1) was executed between the parties. There is an arbitration clause in the aforesaid agreement. The allotment of work, execution of agreement, arbitration clause in the agreement and service of notice under Section 21 of 1996 Act is not disputed.

3. Learned counsel for the respondent disputes claim of applicant on merits.

**ARB-193-2024****-2-**

4. The question of liability would be decided by the Arbitral Tribunal and this Court has no jurisdiction to decide rights and liabilities of the parties.

5. 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.

6. Mr. Justice Pramjeet Singh Dhaliwal, Retired Judge of this Court, residing at House No.2254, Sector 35-C, Chandigarh, Mobile Nos.7837049204 & 9814115825 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.

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

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

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

10. 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.

11. A request letter along with copy of this order be sent to Mr. Justice Pramjeet Singh Dhaliwal.

(JAGMOHAN BANSAL)
JUDGE

06.09.2024
Mohit Kumar

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