



ARB-221-2023

-1-

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

284

ARB-221-2023

Date of Decision: 12.08.2024

M/s Panchal Coating Industries

...Applicant

Versus

M/s Vamani Overseas Private Limited

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Shiv Kumar, Advocate for the applicant

Mr. Abhishek Sirohi, Advocate and
Dr. Pankaj Nanhera, 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 parties entered into agreement dated 07.02.2014 (Annexure P-1). There is an arbitration clause in the aforesaid agreement. The execution of agreement, arbitration clause in the agreement and service of notice under Section 21 of 1996 Act is not disputed.
3. Reply filed on behalf of the respondent is taken on record. Registry is directed to tag the same at an appropriate place.
4. Learned counsel for the respondent submits that claim of applicant is time barred.
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. Rajesh Garg, Additional District & Sessions Judge (Retd.), residing at House No.626, Sector 16-A, Faridabad, Mobile No.8558873008 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 will be at liberty to raise all the claims/defences/counter claims/pleas including issue of limitation 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. Rajesh Garg, Additional District & Sessions Judge (Retd.).

(JAGMOHAN BANSAL)

JUDGE

12.08.2024

Mohit Kumar

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