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

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Date of Decision: 30.07.2024

Ravinder Kaur

...Applicant

Versus

Avneet Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. R.S. Bajaj, Advocate, for the applicant

Mr. Rahul Bhargava, Advocate for the respondents

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 partnership deed dated 25.04.2014. There is an arbitration clause in the aforesaid deed. The parties are neither disputing existence of partnership deed nor arbitration clause.

3. The applicant, in terms of Section 21 of 1996 Act, served notice dated 10.12.2018 (Annexure P-2) upon the respondent for appointment of an Arbitrator. However, the respondent vide reply dated 22.12.2018 (Annexure P-3) declined the nomination of Arbitrator by applicant. Hence, the present application.

4. Learned counsel for the respondents submits that applicant besides the present application has filed civil suit before Civil Court,

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Jalandhar. The applicant may be directed to withdraw the said suit qua prayer of rendition of accounts.

5. Learned counsel for the applicant submits that applicant shall withdraw her suit qua rendition of accounts.

6. 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.

7. Sh. Jasvir Singh Kang, Retd. Additional District and Sessions Judge, residing at House No.72, Street No.4, Guru Gobind Singh Nagar, Near Prithvi Planet, Jalandhar- 144003, Mobile No.9815402125, 8558830018 is appointed as an 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.

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

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

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

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11. Needless to mention, parties will 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.

12. A request letter along with copy of this order be sent to Sh. Jasvir Singh Kang, Retd. Additional District and Sessions Judge.

13. Pending application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

30.07.2024*Mohit Kumar*

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