



ARB-226-2023 (O & M)

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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ARB-226-2023 (O & M)

Date of decision:09.05.2024

M/S ANAROCK PROPERTY CONSULTANTS PRIVATE
LIMITED ...PETITIONER

VS.

M/S M.G. HOUSING PRIVATE LIMITED ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. B.S. Walia, Advocate and
Mr. Deep Inder Singh Walia, Advocate for the petitioner.Ms. Simran Verma, Advocate for
Mr. Rohan Mittal, Advocate for the respondent.**SUVIR SEHGAL J. (ORAL)**

1. Instant petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996, (for short “the Act”), read with the “Scheme of Punjab and Haryana High Court 2003-Appointment of Arbitrators by the Chief Justice of Punjab and Haryana High Court” seeking appointment of a sole Arbitrator to adjudicate the dispute between the parties.

2. Counsel for the petitioner submits that a service agreement dated 22.12.2021, Annexure P-2, was entered into between the parties and Clause 10 thereof provides for resolution of a dispute through the medium of arbitration. He submits that petitioner served a notice dated 21.02.2023, Annexure P-5, for settlement through negotiation as provided in Clause 10 and although respondent submitted a reply to the notice, but it has been an exercise in futility as no settlement could be arrived at. He submits that

petitioner served notice dated 21.03.2023, Annexure P-6, invoking the arbitration clause, to which the respondent sent reply dated 10.04.2023, Annexure P-8.

3. Upon notice, respondent has filed a reply. Counsel for the respondent submits that she has categoric instructions to state that the respondent does not oppose the prayer made in the petition.
4. Accordingly, petition is allowed. Mr. Justice (Retd.) Bharat Bhushan Parsoon, a former judge of this Court, H.No.3116, Sector 46, Gurugram, Mobile Nos.09416393399/09999688558, is requested to act as a sole Arbitrator to adjudicate the dispute between the parties.
5. Parties are directed to appear before the learned Arbitrator on a day, time and place to be communicated by him.
6. Liberty is granted to the parties to raise all claims, counter claims, defences, pleas etc. before the Arbitrator.
7. Needless to mention that all the questions arising between the parties in this matter shall remain open for determination in the arbitral proceedings and any observation made hereinabove will not be binding on the learned Arbitrator.
8. A request letter alongwith a copy of this order be sent to Mr. Justice (Retd.) Bharat Bhushan Parsoon.
9. Pending application(s) are disposed of.

09.05.2024

(SUVIR SEHGAL)

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JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No