

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH
(243)

ARB-402-2021
Date of decision:- 05.03.2024

M/s Standard Engine Care Centre

... Petitioner

Versus

Kurukshetra Automobiles Pvt. Ltd. and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sanjay Ghalawat, Advocate for the petitioner.

None for the respondents.

Mr. Jasvinder Singh Saini, Advocate for Mr. Shyam Lal Saini.

SUVIR SEHGAL, J. (ORAL)

1. By way of instant petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short “the Act”), petitioner has approached this Court for appointment of an Arbitrator to adjudicate the dispute between the parties.
2. Counsel for the petitioner submits that by letter dated 20.03.2018, Annexure A-2, petitioner was issued Letter of Intent (LOI) for dealership of three wheeler vehicles and allied products by the respondents. He submits that a dispute arose between the parties regarding the delivery of auto-rickshaws and the petitioner served a legal notice dated 08.03.2021, Annexure A-7, invoking Arbitration Clause No.12. He submits that the respondents did not respond to the notice.
3. Upon notice issued by this Court, respondents were duly served and were referred to the Mediation and Conciliation Centre of this Court in order to explore the possibility of a settlement between them. However, mediation proceedings have remained unsuccessful.

4. By order dated 22.01.2024, this Court granted last opportunity to the respondents to file reply. However, no response has been filed.
5. Counsel representing Mr. Shyam Lal Saini submits that his client was working as a Sales Manager with M/s Kurukshetra Automobiles Pvt. Ltd., but he is no longer in employment.
6. I have heard counsel for the parties and considered their respective submissions.
7. Repeated opportunities have been given to the respondents to file their response, however, they have chosen not to respond. Despite last opportunity, both the contesting respondents remain unrepresented.
8. In view of the above, there is no opposition to the prayer made in the petition, which is accepted. Sh. Bhupinder Nath, Additional District & Sessions Judge (Retd.), R/o # 142, Sector 30, Kurukshetra, Haryana-136118, Mob. No. 9416484928, is appointed as the sole Arbitrator to adjudicate the dispute between the parties, subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to adjudicate the dispute.
9. Parties are directed to appear before the Arbitrator on the date, time and place to be fixed by the Arbitrator at his convenience.
10. Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.
11. Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the Act.
12. Copy of the order be sent to the appointed Arbitrator.

05.03.2024

(SUVIR SEHGAL)

Kamal

JUDGE

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