



ARB-259-2024 (O&amp;M)

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

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ARB-259-2024 (O&M)  
Date of Decision: 11.11.2024

M/s Ramji Lal Ram Saroop Private Limited

...Applicant

**Versus**

YFC Projects Private Limited

...Respondent

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Satish Kumar, Advocate for the applicant  
for Mr. Sandeep Parkash Chahar, Advocate for the applicant  
None for the respondent

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**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. Despite service, there was no representation of the respondent on 11.09.2024 and the matter was adjourned awaiting representation. Even today, there is no change in the situation. It appears that the respondent has opted to abstain from joining the proceedings before this Court. The matter is pending before this Court since May' 2024 and it cannot be kept pending for indefinite period especially when the prayer in the application is confined to appointment of an Arbitrator who ultimately would adjudicate rights and liabilities of the parties. Thus, this Court is left with no option except to adjudicate the case.



3. The respondent issued purchase order dated 04.07.2020 (Annexure A-1) to the applicant. A dispute erupted between the parties. There is an arbitration clause in the aforesaid purchase order. The applicant, in terms of Section 21 of the 1996 Act, served notice dated 17.05.2022 (Annexures A-12 & A-13) upon the respondent. The respondent did not act upon the said notices within the prescribed period.

4. 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.

5. Mr. V.K. Maheshwari, Principal Judge, Family Court (Retd.), Delhi, residing at House No.85, Sector 30, Gurugram- 122001, Mobile No.9910384671 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.

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

7. The Arbitrator is entitled to fee in accordance with the Fourth Schedule of the Act, as amended, however, he, in view of large number of respondents, is requested to take care of quantum of fee to be charged from the respondents.

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



9. 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.

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

11. A request letter along with copy of this order be sent to Mr. V.K. Maheshwari.

(JAGMOHAN BANSAL)  
JUDGE

11.11.2024  
Mohit Kumar

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |