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

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ARB-263-2022

Date of Decision: 17.09.2024

M/s Golden M.P. Chit Fund Private Limited

...Applicant

Versus

Braham Prakash Rana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Baljeet Beniwal, Advocate and
Mr. Kartik, Advocate for the applicant

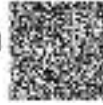
Mr. Bhupinder Ghai, Advocate for the respondents

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 agreement dated 01.12.2014 (Annexure P-1). There is an arbitration clause in the aforesaid agreement. The execution of agreement and arbitration clause in the agreement is not disputed.

3. Mr. Bhupinder Ghai, Advocate submits that on the earlier occasion an Arbitrator was appointed who vide order dated 24.09.2019 closed the proceedings with liberty to the parties to take legal recourse to get the time extended for the proceedings or get appointed new Arbitrator from the Court



of competent jurisdiction. The applicant did not try to get the mandate of Arbitrator extended and has filed the instant application.

4. Concededly, the parties appointed Sole Arbitrator who could not conclude proceedings because of expiry of time prescribed under Section 29A of the 1996 Act. The parties were granted liberty to extend the mandate of Arbitrator or get appointed new Arbitrator.

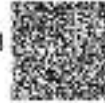
5. Conditions to invoke power conferred by Section 11(6) of 1996 Act stand satisfied, thus, I hereby appoint a sole Arbitrator to adjudicate the dispute between the parties.

6. Mr. R.S. Baswana, District and Sessions Judge (Retd.), residing at House No.437, Sector 21-C, Faridabad, Mobile No.9466594777 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.



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10. 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.

11. A request letter along with copy of this order be sent to Mr. R.S. Baswana.

(JAGMOHAN BANSAL)
JUDGE

17.09.2024
Mohit Kumar

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