



ARB-267-2024

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

300

ARB-267-2024

Date of Decision: 19.09.2024

Balaji Builders

...Applicant

Versus

Bakanan Foods Private Limited

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Udit Seth, Advocate (*through video conferencing*)
Mr. Balvinder Sangwan, Advocate and
Mr. Krishna Maurya, Advocate for the applicant

Mr. Pawan K. Pahwa, Advocate
Mr. Harshabh Soni, Advocate and
Mr. Hrithik Chaudhary, Advocate for the respondent

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. Mr. Pawan K. Pahwa, Advocate appeared and filed his Power of Attorney on behalf of the respondent. The same is taken on record. Registry is directed to tag the same at an appropriate place.
3. The parties entered into agreement dated 04.05.2018 (Annexure P/1). A dispute erupted between the parties. There is an arbitration clause in the aforesaid agreement. The execution of agreement, arbitration clause in the agreement and service of notice under Section 21 of 1996 Act is not disputed.

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. Justice R.P. Nagrath, Retired Judge of this Court, residing at House No.162, Sector 123, New Sunny Enclave, Kharar, Mohali, Mobile No.8558809901 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 shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.
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. A request letter along with copy of this order be sent to Mr. Justice R.P. Nagrath.

(JAGMOHAN BANSAL)
JUDGE

19.09.2024
Mohit Kumar

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