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

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Date of Decision: 28.11.2024

Parvinder Singh Kohli

...Applicant

Versus

Infinity Eservices Private Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Anand Kumr Bishnoi, Advocate for the applicant

Mr. Ajay Ghangas, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11 of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicant is seeking appointment of an Arbitrator.

2. The respondent entered into lease deed dated 12.03.2019 (Annexure P-1) with M/s Spaze Towers Private Limited. Thereafter, M/s Spaze Towers Private Limited sold the unit to the applicant and executed a conveyance deed in favour of the applicant. Subsequent to the aforesaid conveyance deed, an Attornment Deed dated 11.03.2022 (Annexure P-2) was executed among M/s Spaze Towers Private Limited, the respondent and the applicant vide which it was agreed that the respondent company is under an obligation to pay the monthly proportionate rent plus GST for the said



property to the applicant and the terms and conditions of the lease deed will be binding upon the applicant and respondent. A dispute erupted between the parties. There is an arbitration clause in the lease deed. The execution of lease deed, conveyance deed, attornment deed, arbitration clause in the lease deed and service of notice under Section 21 of 1996 Act is not disputed.

3. Learned counsel for the respondent submits that he leaves it to this Court to make appointment of an independent Arbitrator.

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. Mrs. Shashi Bala Chauhan, Retired Additional District and Sessions Judge, residing at House No.1827, Sector 52, Gurugram- 122003, Mobile No.8930275275 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 her 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 1996 Act.



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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 Mrs. Shashi Bala Chauhan.

(JAGMOHAN BANSAL)
JUDGE

28.11.2024
Mohit Kumar

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