

ARB-287-2022

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(110)**

ARB-287-2022

Date of decision:- 26.02.2024

Mogli Labs (India) Pvt. Ltd.

...Petitioner

Versus

YFC Projects Pvt. Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Gaurav Rana, Advocate, for the petitioner.

(Respondent proceeded ex parte by order dated 02.05.2023.)

SUVIR SEHGAL, J. (Oral)

1. By way of the present petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short “the Act”), petitioner has moved before this Court for appointment of an Arbitrator to arbitrate the dispute between the parties.

2. Counsel for the petitioner submits that Purchase Order dated 08.10.2021, Annexure P-1, for purchasing of binding wire, was placed by the respondent on the petitioner for total value of Rs.20,88,199/-. Counsel submits that petitioner supplied the product and raised invoices, against which, respondent gave a cheque for the total amount, which was dishonored, as the respondent gave instructions to its bank to stop the payment. Counsel submits that as a dispute arose between the parties, petitioner served a legal notice dated 01.06.2022, Annexure P-3, invoking the clause 18 of the Purchase Order, Annexure P-1, which provides for appointment of an Arbitrator. He asserts that petitioner has not received

any reply to the legal notice, Annexure P-3.

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3. Upon notice, respondent was served and proceeded against ex parte by order dated 02.05.2023, passed by this Court. Consequently, there is no opposition to the prayer made in the petition.
4. Accordingly, petition is allowed. Mr. Arun Kumar Singal, former District and Sessions Judge, R/o # A-61, Second Floor, Palladians, Near Baani Square, Sector 47, Gurugram, Mobile No.9991743666, 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 between the parties.
5. Parties are directed to appear before the Arbitrator on 18.04.2024, at 11:00 A.M., at the address mentioned above or at any other place to be fixed with the consent of the parties.
6. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.
7. The arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the Act.
8. Copy of the order be sent to the appointed arbitrator.

(SUVIR SEHGAL)
JUDGE

26.02.2024
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No