



ARB-328-2024 (O&M)

-1-

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

114

ARB-328-2024 (O&M)
Date of Decision: 04.09.2024

P. Balavelu

...Applicant

Versus

Satpal Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Ashok Kumar Jindal, Advocate for the applicant
(*through video conferencing*)

Mr. Manoj Kaushik, Advocate for respondent Nos.1 and 2

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. Manoj Kaushik, Advocate appeared and filed his Power of Attorney on behalf of respondent No.1. He also filed his Memorandum of Appearance on behalf of respondent No.2. The same are taken on record. Registry is directed to tag the same at an appropriate place.
3. The parties entered into partnership deed dated 08.07.2019 (Annexure P-2) which was subsequently renewed on 18.12.2020 (Annexure P-3). There is an arbitration clause in the aforesaid deed. The execution of



partnership deeds, arbitration clause in the partnership deeds and service of notice under Section 21 of 1996 Act is not disputed.

4. The respondents have conceded to resolve the issue through Arbitral Tribunal, however, the parties are unable to decide a common and independent Arbitrator.

5. Learned counsel for the parties leave to this Court to make appointment of an Arbitrator.

6. 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.

7. Mrs. Justice Sabina, Acting Chief Justice (Retd.), residing at House No. 1842, Sector 34-D, Chandigarh, Mobile No.9780008138 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.

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

9. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

10. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the Act.
11. 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.
12. Pending application(s), if any, shall stand disposed of.
13. A request letter along with copy of this order be sent to Mrs. Justice Sabina.

(JAGMOHAN BANSAL)

JUDGE

04.09.2024

Mohit Kumar

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