

Neutral Citation No. **2024:PHHC:028973**

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

113

ARB-193-2020 (O&M)

Date of Decision:29.02.2024

M/s M.D. Enterprises

... Petitioner

Vs

M/s Ecogreen Energy Gurgaon-Faridabad Private Limited

.... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Ms. Shruti Mandhotra, Advocate for
Mr. Kunal Dawar, Advocate for the petitioner.

Ms. Sukriti Kaur, Advocate for
Mr. Anil Mehta, Advocate for the respondent.

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 approached this Court for appointment of an Arbitrator to adjudicate the dispute, which has arisen between the parties out of the Vendor Agreement dated 25.07.2019.

2. Upon notice, respondent has appeared before this Court. Attempts to bring about a settlement between the parties failed.

3. Counsel for the respondent submits that there is no denial of the agreement or the arbitration clause, but the liability of the

respondent is denied. Additionally, it is submitted that the name of the Arbitrator recommended by the petitioner in its legal notice, Annexure P-2 is not acceptable.

4. After hearing counsel for the parties, this Court is of the view that as the agreement and the arbitration clause have been admitted, prayer made in the petition deserves to be acceded to.
5. Petition is allowed.
6. Sh. M.P. Mehndiratta, Former District & Sessions Judge, H.No.1090, Sector 15, Part-2, Gurgaon, 122001, Mobile No. 09250925555, is appointed as an Arbitrator to adjudicate the dispute between the parties.
7. Parties are directed to appear before the Arbitrator on 01.04.2024 at 11:00 am at the address mentioned above or at any other place to be fixed by the Arbitrator.
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.
10. Needless to mention, parties will be at liberty to raise all the claims/defences/counter claims/pleas before the Arbitrator.
11. Copy of the order be sent to the appointed Arbitrator.

29.02.2024
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No