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

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ARB-338-2023

Date of Decision: 25.09.2024

Minderpal Singh Rattan Trading as M/s Recovery Solutions ...Applicant

Versus

Canara Bank and others**...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - None for the applicant

Mr. Saksham Pahwa, Advocate (*through video conferencing*)
for Ms. Rahish Pahwa, Advocate for the respondents/applicants

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. The parties entered into an agreement dated 13.02.2017 (Annexure P-1). 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.

3. Learned counsel for the respondents submits that they have appointed an Arbitrator, however, the applicant is not agreeing to the appointment of said Arbitrator. Therefore, he leaves it to this Court to make appointment of an 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.



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5. Mr. Harcharan Singh Dhaliwal, District & Sessions Judge (Retd.), residing at House No.524, IAS/PCS Society, Mullanpur, New Chandigarh, Tehsil Kharar, District SAS Nagar, Mohali Punjab-140901, Mobile No.855800067 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. Harcharan Singh Dhaliwal.

(JAGMOHAN BANSAL)
JUDGE

25.09.2024*Mohit Kumar*

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