



ARB-359-2024

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

283

ARB-359-2024

Date of Decision: 16.10.2024

M/s Chowdhary Cold Storage

...Applicant

Versus

M/s HIM Infratech Private Limited and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Amardeep Singh Gill, Advocate for the applicant

Mr. Arjun Sharma, Advocate for the respondents

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 applicant was issued quotation/agreement dated 07.05.2019 (Annexure P-1) by the respondent. A dispute erupted between the parties. There is an arbitration clause in aforesaid quotation. The issuance of quotation/agreement, arbitration clause therein and service of notice under Section 21 of 1996 Act is not disputed.

3. Learned counsel for the respondents 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. Mr. Deva Pampapathi Reddy, Retd. I.A.S., residing at House No.74, The Foothills IAS/PCS Society, Sector 1, New Chandigarh, District S.A.S. Nagar Mohali- 140901, Mobile No.9872218150 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 1996 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. Pending application(s), if any, shall stand disposed of.
11. A request letter along with copy of this order be sent to Mr. Deva Pampapathi Reddy.

(JAGMOHAN BANSAL)
JUDGE

16.10.2024
Mohit Kumar

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