

Neutral Citation No. **2024:PHHC:058181**

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

259

ARB-343-2023 (O&M)

Date of Decision:24.04.2024

M/s Smart Creative Buildwell LLP

... Petitioner

Vs

M/s Supertech India Pvt. Ltd.

.... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Arjun Kundra, Advocate for the petitioner.

Mr. Shailendra Kumar Mishra, Authorized representative
of the respondent.

SUVIR SEHGAL, J. (ORAL)

1. By way of the present petition filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short 'the Act'), read with the scheme of appointment of Arbitrators by the Chief Justice of Punjab and Haryana High Court, 2003, petitioner has approached this Court for appointment of an Arbitrator.

2. Upon notice, Mr. Shailendra Kumar Mishra, Authorized Representative of the respondent has put in appearance and has filed self attested xerox copy of his Aadhar Card. He has also filed an authorization letter issued by the respondent Company. Same are taken on record.

3. Counsel for the petitioner submits that an agreement dated 10.10.2022, Annexure P-3 entered into between the parties and clause 11 contains arbitration clause. He submits that a dispute arose and petitioner served a legal notice dated 25.04.2023, Annexure P-10,

upon the respondents invoking arbitration clause to which a reply dated 09.05.2023 (Annexure P-11) has been received rejecting the name of the arbitrator proposed by the petitioner.

4. Mr. Shailendra Kumar Mishra, has instructions to state that the respondent does not oppose the prayer made in the petition.

5. Accordingly, 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 29.05.2024 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.

24.04.2024
pooja saini

(SUVIR SEHGAL)
JUDGE

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