



ARB-370-2024

-1-

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

285

ARB-370-2024

Date of Decision: 27.11.2024

M/s Indian Oil Corporation Limited

...Applicant

Versus

M/s Shaheed Sukhwinder Singh Filling Station and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Aashish Kapoor, Advocate and
Mr. M.S. Rana, Advocate for the applicant
Mr. Ashish Grover, Advocate for respondent Nos.1 and 3
Mr. Kanwaljeet Singh Brar, Advocate for respondent No.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. The parties entered into agreement dated 25.07.2018 (Annexure P-1). A dispute erupted between the parties. 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 submit that they leave 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.



ARB-370-2024

-2-

5. Mrs. Shyama Dogra, Former Member (Judicial), Central Administrative Tribunal, residing at # Flat No.2168/A, 1st Floor, Block-7, Chandigarh Housing Board Flats, Sector 63, Chandigarh- 160047, Mobile Nos.9459288219, 9418696233 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 her 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. A request letter along with copy of this order be sent to Mrs. Shyama Dogra.

(JAGMOHAN BANSAL)
JUDGE

27.11.2024
Mohit Kumar

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