

**ARB-375-2024****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH****(109)****ARB-375-2024****Date of decision:- 03.09.2024****Department of Information Technology, Chandigarh Administration ..Petitioner  
Versus****Axis Bank****..Respondent****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. M.K.Dogra, Advocate, Senior Standing Counsel, with  
Mr. Deepak Malhotra, Advocate, Standing Counsel,  
Union Territory, Chandigarh, for the petitioner.

**SUVIR SEHGAL, J. (Oral)**

1. Instant petition has been filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short “the Act”) for appointment of an Arbitrator to resolve the disputes between the parties.
2. Counsel for the petitioner submits that by virtue of agreement dated 01.01.2018, Annexure P-1, a contract was entered into between the parties, whereunder respondent agreed to provide various services at the Sampark Centre, pertaining to collection of bills, taxes, fee, etc. Counsel submits that some disputes arose between the parties and a show cause notice dated 02.02.2023, Annexure P-3, was served upon the respondent-Bank, to calling upon it to explain as to why it should not be held responsible for non-collection and late collection of cash and as to why penalty of Rs.21,17,50,000/-, be not imposed upon it. By response dated 03.04.2023, Annexure P-4, respondent disputed its liability. Counsel submits that notice dated 01.02.2024, Annexure P-8, was served upon the respondent, invoking the arbitration clause 13 of the contract, Annexure P-1. By their reply dated 16.02.2024, Annexure P-9, respondent requested that a Tribunal comprising three arbitrators be



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- 3. Issue notice to the respondent.
- 4. Mr. Pradyuman Sewar, Advocate, has put in appearance through Video Conferencing with Ms. Priyanka Malik, Advocate, on behalf of the respondent, and has filed Power of Attorney, which is taken on record. He does not have any objection if a sole Arbitrator is appointed.
- 5. Accordingly, petition is allowed. *Ms. Justice Nirmaljit Kaur, a former Judge of this Court, resident of # 188, Sector 11-A, Chandigarh, Mobile No. 9610478000*, is requested to act as an Arbitrator to adjudicate the dispute between the parties, subject to compliance with statutory provisions.
- 6. Parties are directed to appear before the learned Arbitrator on date, time, and place to be fixed by her at her convenience.
- 7. Liberty is granted to the parties to raise all claims, counter claims, defences, pleas, etc. before the Arbitrator.
- 8. Needless to mention that all the questions arising between the parties in this matter shall remain open for determination in the arbitral proceedings and any observation made hereinabove will not be binding on the learned Arbitrator.
- 9. A request letter along with a copy of the order be sent to Ms. Justice (Retd.) Nirmaljit Kaur.

(SUVIR SEHGAL)  
JUDGE

03.09.2024  
Pardeep

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|---------------------------|--------|
| Whether Speaking/Reasoned | Yes    |
| Whether Reportable        | Yes/No |