



ARB-358-2023 (O&M)

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

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ARB-358-2023 (O&M)
Decided on 06.11.2024

M/s PVR Inox Limited

...Applicant

Versus

M/s Victory Infraedge Private Limited

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Rahul Garg, Advocate for the applicant

Mr. Vikas Mohan Gupta, Advocate for the respondent

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 Term Sheet/LOI dated 11.08.2018 (Annexure P-4). A dispute erupted between the parties. There is an arbitration clause in the aforesaid Term Sheet/LOI. The execution of Term Sheet/LOI, arbitration clause in aforesaid Term Sheet and service of notice under Section 21 of 1996 Act is not disputed.
3. Learned counsel for the respondent submits that claim of applicant is time barred.



4. The claim of the applicant does not *prima facie* seem to be dead wood and question of limitation, in any case, needs to be adjudicated by the Arbitral Tribunal.

5. 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.

6. Mr. Justice Vinod Goel, Former Judge of Delhi High Court, residing at D6 Ground Floor, Green Park Main, New Delhi- 110016, Mobile No.9910384637 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.

7. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.

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 1996 Act.

10. Needless to mention, parties would be at liberty to raise all the claims/defences/counter claims/pleas including issue of limitation before the Arbitrator. Any observation made hereinabove will not be binding on the learned Arbitrator.



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11. Pending application(s), if any, shall stand disposed of.

12. A request letter along with copy of this order be sent to
Mr. Justice Vinod Goel.

(JAGMOHAN BANSAL)
JUDGE

06.11.2024

Mohit Kumar

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