2024:PHHC:157085

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

276 **ARB-386-2024 (O&M)**
Date of Decision: 28.11.2024

Elan Greentech Energies Limited **…Applicant**

Versus

Laxmi Steel Fabrications and Company **…Respondent**

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Mohit Jasuja, Advocate,
Mr. Vipin Kumar, Advocate,
Mr. Atul Pandey, Advocate for the applicant

Mr. Nikhil Vats, Advocate for the respondent

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JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11 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 07.07.2023 (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 respondent 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.

MOHIT KUMAR
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I attest to the accuracy and
integrity of this document.

5. Mrs. Shashi Bala Chauhan, Retired Additional District and Sessions Judge, residing at House No.1827, Sector 52, Gurugram- 122003, Mobile No.8930275275 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. Shashi Bala Chauhan.

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

(JAGMOHAN BANSAL)
JUDGE

28.11.2024
Mohit Kumar

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

MOHIT KUMAR
2024.11.29 09:23
I attest to the accuracy and
integrity of this document.