



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

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**ARB-370-2023 (O&M)
Date of Decision: 08.08.2024**

M/s Indian Oil Corporation Ltd.**...Applicant**

Versus

M/s Ashish Service Station and Others**...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Ashish Kapoor, Advocate for the applicant
Ms. Pooja Chopra, Advocate for respondent Nos.1 and 3
Mr. Devender Kumar, 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. Mr. Devender Kumar, Advocate appeared and filed his Power of Attorney on behalf of respondent No.2. The same is taken on record. Registry is directed to tag the same at an appropriate place.
3. The applicant entered into Dealership Agreement dated 10.04.2017 with the respondent. There is an arbitration clause in the aforesaid agreement. The parties are neither disputing existence of agreement nor arbitration clause.



4. The applicant, in terms of Section 21 of 1996 Act, served notices dated 10.07.2023 (Annexures P-8 & P-9) upon the respondents. The respondents did not act upon the said notices within the prescribed period.
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. Mrs. Justice (Retd.) Raj Rahul Garg, residing at House No.266, Sector 21, Panchkula, Mobile No.8558809937 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 Act.
10. Needless to mention, parties will 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.



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11. A request letter along with copy of this order be sent to Mrs. Justice (Retd.) Raj Rahul Garg.
12. Pending application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

08.08.2024
Mohit Kumar

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