



ARB-398-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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ARB-398-2024
Date of decision:05.11.2024

KANDHARI BEVERAGES PVT LTD

...PETITIONER

VS.

SUZLON ENERGY LTD

...RESPONDENT

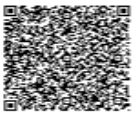
CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Gurmohan Singh Bedi, Advocate
for the petitioner.

Mr. Aman Bansal, Advocate
for the respondent.

SUVIR SEHGAL J. (ORAL)

1. Mr. Aman Bansal, Advocate has put in appearance on behalf of the respondent and has filed Vakalatnama, which is taken on record.
2. This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996, (for short 'the Arbitration Act'), for appointment of an Arbitrator to adjudicate the dispute between the parties.
3. By referring to orders dated 11.09.2024 passed in ARB-370-2018 and ARB-232-2022, counsel for the petitioner submits that similar disputes pertaining to previous years have been referred by this Court for



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determination to an Arbitrator. He submits that the dispute in the present petition pertains to the period from April, 2020 to March, 2022.

4. Upon instructions, counsel for the respondent states that he does not have any objection, in case, the difference is referred for adjudication to an Arbitrator in terms of Clause 11 of purchase order dated 19.11.2005, Annexure P-2.

5. In view of the consensus arrived at between the parties, petition is allowed. Mr. Justice (Retd.) Tejinder Singh Dhindsa, a former judge of this Court, House No. 123, Sector 8, Chandigarh, Mobile No.7837049208, is nominated as an Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory requirements.

6. Liberty is granted to the parties to raise all claims, counter claims, defences, pleas etc. before the Arbitrator.

7. Needless to mention that all the questions arising between the parties shall remain open for determination in the arbitral proceedings and any observation made hereinabove will not be binding on the learned Arbitrator.

8. A request letter alongwith a copy of this order be sent to Mr. Justice (Retd.) Tejinder Singh Dhindsa.

05.11.2024
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No