



ARB-475-2022

-1-

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

254

ARB-475-2022

Date of Decision: 02.09.2024

Neeraj

...Applicant

Versus

Deepak Singla

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

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

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. By order dated 13.03.2023 passed by this Court, the respondent was proceeded *ex-parte*. The said order was re-called on 02.05.2023 as Mr. Inderpreet Singh, Advocate appeared on behalf of the respondent.

3. In the wake of statement of both sides, the matter was referred to Mediation Center. The proceedings before Mediation Center could not fructify. Accordingly, the matter was listed before this Bench.

4. On 22.07.2024, Mr. Inderpreet Singh, Advocate withdrew his Power of Attorney. Notice was sent to the respondent and as per office report, respondent's mother has informed that '*they have evicted the respondent*'.



5. The matter is pending before this Court since 2022. This Court is left with no other option except to pass an *ex-parte* order.

6. The parties entered into partnership deed dated 01.08.2016 (Annexure P-1). There is an arbitration clause in the aforesaid deed. The execution of partnership deed, arbitration clause in the partnership deed and service of notice under Section 21 of 1996 Act is not disputed.

7. 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.

8. Ms. Sumanpreet Aulakh, Advocate, residing at H. No. D-136, Madhuban Colony, Rajpura, Dist. Patiala, Mobile No. 8427753826 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.

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

10. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

11. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the Act.



ARB-475-2022

-3-

12. 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.

13. A request letter along with copy of this order be sent to Ms. Sumanpreet Aulakh, Advocate

(JAGMOHAN BANSAL)
JUDGE

02.09.2024
Mohit Kumar

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