



ARB-432-2023 (O&M)

-1-

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

279

ARB-432-2023 (O&M)
Date of Decision: 30.09.2024

M/s Pammvi Aviation Private Limited

...Applicant

Versus

M/s DLF Limited and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Saurabh Garg, Advocate for the applicant
Ms. Shruti Mandhotra, Advocate for
Mr. Kunal Dawar, Advocate for the respondents

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 agreement dated 22.11.2013 (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. Reply filed on behalf of the respondents is taken on record. Registry is directed to tag the same at an appropriate place. He submits that the applicant is required to deposit the holding charges.

4. The question of holding charges, if any, payable by the applicant 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.

**ARB-432-2023 (O&M)****-2-**

6. Mr. V.K. Maheshwari, District & Sessions Judge (Retd.), residing at House No.85, Sector 30, Gurugram- 122001, Mobile No.9910384671 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 before the Arbitrator. Any observation made hereinabove will not be binding on the learned Arbitrator.

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

12. A request letter along with copy of this order be sent to Mr. V.K. Maheshwari.

(JAGMOHAN BANSAL)
JUDGE

30.09.2024*Mohit Kumar*

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