



ARB-521-2023

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

279

ARB-521-2023

Date of Decision: 11.09.2024

Johnson Controls-Hitachi Air Conditioning India Limited ...Applicant

Versus

IREO Private Limited**...Respondent****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Hemant Hans, Advocate for the applicant

Mr. Anand Vardhan Khanna, Advocate for the respondent

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 Contract Agreement dated 30.03.2016 (Annexure P-3). There is an arbitration clause in the General Conditions of Contract. The execution of agreement, arbitration clause in the General Conditions of Contract and service of notice under Section 21 of 1996 Act is not disputed.

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3. The matter was referred to Mediation and Conciliation Center of this Court, however, the parties failed to settle the matter amicably.
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.
5. Dr. J.R. Chauhan, District & Sessions Judge (Retd.), residing at House No.1827, Sector 52, Gurugram- 122003, Mobile No.9813900079 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 his 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 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 Dr. J.R. Chauhan.

(JAGMOHAN BANSAL)
JUDGE

11.09.2024
Mohit Kumar

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