



ARB-533-2023

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

274

ARB-533-2023

Date of Decision: 08.08.2024

Jasdev Singh Randhawa and another

...Applicants

Versus

Narinder Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Viren Jain, Advocate and
Ms. Komaljit Kaur for the applicants

Mr. Aashish Chopra, Senior Advocate with
Mr. Gagandeep Singh, 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 applicants are seeking appointment of an Arbitrator.
2. The parties entered into a partnership deed dated 23.02.2000 (Annexure P-2). The firm was operating a cold storage and ice factory. There is an arbitration clause in the partnership deed. The parties are neither disputing existence of partnership deed nor arbitration clause.
3. Mr. Aashish Chopra, Senior Advocate, submits that aforesaid deed was dissolved vide dissolution deed dated 31.03.2012 and it was duly signed by the applicants. The applicants, on the other hand, are claiming that

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they were out of India on the alleged date of dissolution deed, thus, the dissolution deed is a forged document.

4. The questions whether dissolution deed was executed by the parties or not and whether on account of alleged dissolution, the bar of limitation would apply need to be answered by the Arbitrator.

5. The applicants, in terms of Section 21 of 1996 Act, served notice dated 09.10.2023 (Annexure P-7) upon the respondent.

6. 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.

7. Mr. Justice (Retd.) Harinder Singh Sidhu, residing at House No.15, Sector 2-A, Chandigarh- 160001, Mobile No.8558809912 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.

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

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

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



11. 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.

12. A request letter along with copy of this order be sent to Mr. Justice (Retd.) Harinder Singh Sidhu.

(JAGMOHAN BANSAL)
JUDGE

08.08.2024
Mohit Kumar

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