

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

252 (6 cases)

ARB-559-2024  
Date of Decision: 18.12.2024

M/s Malkit Singh Oil Carrier ...Applicant

Versus

The Indian Oil Corporation Limited and others ...Respondents

With

| Sr. No. | Case No.     | Applicant             | Respondents                                   |
|---------|--------------|-----------------------|-----------------------------------------------|
| 2.      | ARB-560-2024 | M/s Arora Lubricants  | The Indian Oil Corporation Limited and others |
| 3.      | ARB-562-2024 | M/s Lally Transport   | The Indian Oil Corporation Limited and others |
| 4.      | ARB-565-2024 | M/s Fateh Oil Carrier | The Indian Oil Corporation Limited and others |
| 5.      | ARB-566-2024 | M/s S.B. Oil Tanker   | The Indian Oil Corporation Limited and others |
| 6.      | ARB-567-2024 | M/s Lally Oil Tanker  | The Indian Oil Corporation Limited and others |

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. B.S. Jaswal, Advocate for the applicant  
Mr. Ashish Kapoor, Advocate and  
Mr. M.S. Rana, Advocate for the respondents

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JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in the captioned applications, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from ARB-559-2024.

2. Through instant application under Section 11 of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicant is seeking appointment of an Arbitrator.

3. Pursuant to tender, the applicant was allotted work by the respondent vide work order dated 07.01.2021. A dispute erupted between the parties. There is an arbitration clause in the tender document. The issuance of work order, arbitration clause in the tender document and service of notice under Section 21 of 1996 Act is not disputed.

4. Learned counsel for the respondents submits that he leaves it to this Court to make appointment of an independent Arbitrator.

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.

6. Mr. Justice Tejinder Singh Dhindsa, Former Judge of this Court, residing at House No.123, Sector 8, Chandigarh, Mobile Nos.7837049208, 9815308888 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

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.           A request letter along with copy of this order be sent to Mr. Justice Tejinder Singh Dhindsa.

(JAGMOHAN BANSAL)  
JUDGE

18.12.2024  
Mohit Kumar

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |