



ARB-603-2024 (O&M)

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

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ARB-603-2024 (O&M)

Date of Decision: 19.12.2024

Krishan Kumar Sharma

...Applicant

Versus

Post Graduate Institute of Medical Education and Research

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Gurdeepinder Singh Dhillon, Advocate for the applicant

Mr. Abhishek Kumar, 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. Pursuant to tender, the applicant was allotted work by the respondent vide letter dated 01.05.2020 (Annexure P-1). Thereafter, a Service Contract Agreement dated 18.06.2020 (Annexure P-3) was executed between the parties. 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. Mr. Abhishek Kumar, Advocate appeared and filed his Power of Attorney on behalf of the respondent. The same is taken on record. Registry is directed to tag the same at an appropriate place.

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

5. Learned counsel for the parties concede that instead of two, a Sole Arbitrator may be appointed.

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. Vikas Chatrath, Advocate, residing at House No.174, Sector 21-A, Chandigarh, Mobile No.9872503300 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 1996 Act.

11. 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.

12. Pending application(s), if any, shall stand disposed of.
13. A request letter along with copy of this order be sent to Mr. Vikas Chatrath, Advocate.

(JAGMOHAN BANSAL)
JUDGE

19.12.2024
Mohit Kumar

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