



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

269

ARB-17-2024

Date of decision: 03.03.2025

M/S SHIVA CONSTRUCTIONS COMPANY

...APPLICANT

Vs.

SRI BALAJI LITERARY AND CHARITABLE SOCIETY AND
ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Dhruv Chowfla, Advocate
for the applicant.

Mr. L.S. Lakhanpal, Advocate
for respondent No. 1.

Mr. Sandeep Singal, Advocate
for respondent No. 2.

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 arbitration agreement dated 10.09.2016. A dispute erupted between the parties. The applicant served notice upon respondent seeking resolution of dispute through arbitral tribunal but to no avail.

3. The execution of arbitration agreement and service of notice invoking arbitration clause is not disputed.

4. Mr. L.S. Lakhanpal and Mr. Sandeep Singal, Advocate, counsel for the respondents expressed their inability to controvert execution of arbitration agreement and service of notice.

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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. Dr. Sarita Gupta, Retired District and Sessions Judge, residing at Flat No.202, Tower 12-A Suncity Parikrama, Sector 20, Panchkula- 134117, Mobile No. 9671819333 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 her convenience.

8. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 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. A request letter along with copy of this order be sent to Dr. Sarita Gupta.

03.03.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No