



ARB-20-2025

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

247/2

ARB-20-2025

Date of Decision: 21.08.2025

Rathi and Co.

...Applicant

Versus

Aishwarya Healthcare

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Ms. Anmol Gupta, Advocate for the applicant

None for the respondent

JAGMOHAN BANSAL, J. (Oral)

1. 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.

2. As per office report, respondent stands served. On 02.07.2025, there was no representation on behalf of the respondent and in the interest of justice, the matter was adjourned. Even today, there is no change in the situation. It appears that respondent has opted to abstain from joining the proceedings before this Court. The matter cannot be kept pending for an indefinite period especially when the prayer in the application is confined to appointment of an Arbitrator who ultimately would adjudicate rights and liabilities of the parties. Thus, this Court is left with no other option except to adjudicate the case on the basis of available record.

3. The respondent issued purchase orders to the applicant. A dispute erupted between the parties. There is an arbitration clause in



purchase order. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

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. 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.

6. The parties at the first instance will appear before the Arbitrator on 04.09.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

7. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.

8. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 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 Mr. Vikas Chatrath, Advocate.

(JAGMOHAN BANSAL)
JUDGE

21.08.2025
Mohit Kumar

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