



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

265

ARB-60-2024

Date of decision: 25.02.2025

M/S RUBICON STEELS

....APPLICANT

Vs.

RAIL COACH FACTORY KAPURTHALA AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Nitish Bansal, Advocate
for the applicant.

Mr. Vijay Pal, Senior Panel Counsel
for the respondents.

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. The parties entered into arbitration agreement dated 27.12.2018. 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. Vijay Pal, Advocate, counsel for the respondents expressed his inability to controvert existence of arbitration agreement and dispute between the parties.
5. Communication dated 03.09.2024, is taken on record. Registry is directed to tag the same at an appropriate place. As per the said communication,

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the respondent has accepted existence of arbitration agreement as well as dispute between the parties.

6. Conditions to invoke power conferred by Section 11 of 1996 Act stand satisfied, thus, I hereby appoint a sole Arbitrator to adjudicate the dispute between the parties.

7. Mr. Rajeev Kumar Garg, Chartered Accountant, residing at Upstairs: Bharat Bath Gallery, Kitchlu Nagar Extns., Hambran Road, Ludhiana-141001, Mobile No. 98156-10806 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/her convenience.

9. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 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. A request letter along with copy of this order be sent to Mr. Rajeev Kumar Garg.

25.02.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No