



ARB-284-2025

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

247

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Date of Decision: 27.05.2025

M/s Merito Advisors and another

...Applicants

Versus

Samir Jasuja and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Abhinav Sood, Advocate and
Mr. Sayyam Garg, Advocate for the applicants
Mr. Karanveer Singh, Advocate and
Ms. Ekta Sharma, Advocate for respondent Nos.1 to 3

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11 read with Section 14 of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicants are seeking appointment of an Arbitrator.

2. The parties entered into loan agreement dated 06.03.2024. A dispute erupted between the parties. Respondent No.1 vide notice dated 20.03.2025 proceeded to unilaterally appoint an Arbitrator.

3. Mr. Karanveer Singh, Advocate appeared and filed his Power of Attorney on behalf of respondent Nos.1 to 3. The same is taken on record. Registry is directed to tag the same at an appropriate place.

4. Reply filed by respondent Nos.1 to 3 is taken on record. Registry is directed to tag the same at an appropriate place.



5. Learned counsel for the respondents submits that Arbitrator appointed by the respondent is independent and impartial, nevertheless, this Court, if finds appropriate, may make appointment of another Arbitrator.

6. Impartiality and independence of Arbitral Tribunal are foundation stones of arbitration proceedings. The respondent has made unilateral appointment. The applicants are not doubting integrity of Arbitrator appointed by the respondent, however, claim that this Court may make appointment of an independent and impartial Arbitrator.

7. To resolve the dispute and avoid doubts/allegations in future, this Court finds its appropriate to invoke its jurisdiction under Section 11(6) of 1996 Act and hereby appoints a Sole Arbitrator to adjudicate the dispute between the parties.

8. Mr. Subhash Chander Goyal, District & Sessions Judge (Retd.), residing at Flat No. 204, Tower 2, Malibu Town, Sector 47, Gurugram, Mobile No. 9813204570 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.

9. The parties at the first instance will appear before the Arbitrator on 11.06.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

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

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11. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

12. 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.

13. A request letter along with copy of this order be sent to Mr. Subhash Chander Goyal.

(JAGMOHAN BANSAL)
JUDGE

27.05.2025*Mohit Kumar*

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