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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-301-2025(O&M)

Date of Decision: 27.11.2025

HARBHAJAN SINGH

....Petitioner(s)

Versus

KAPIL GUPTA

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

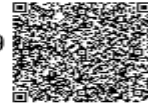
Present: Mr. S.S. Jattan, Advocate,
for the petitioner.

Mr. Munish Behl Advocate,
for the respondent.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') praying for appointment of an Arbitrator to adjudicate the disputes and differences between the parties.

2. Learned counsel appearing on behalf of the petitioner submitted that a partnership deed was executed between the parties vide Annexure P-1, which is in the nature of an agreement containing an arbitration clause i.e. Clause 21. It is submitted that as per the said clause, in the event of any dispute arising between the parties, the same is required to be referred to arbitrator, one to be nominated by each party in difference and in the event of any difference of opinion between the arbitrators, the matter shall be referred to an umpire whose decision shall be final and the provisions of the



Arbitration and Conciliation Act, 1996 shall apply. He submitted that considering the total claim amount which is relatively a small amount any Sole Arbitrator may be appointed. He further submitted that a notice was sent to the respondent vide Annexure P-3 dated 25.02.2025 invoking the aforesaid clause but no action has been taken by the respondent and therefore, the present application has been filed seeking appointment of an Arbitrator.

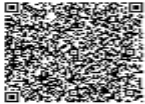
3. On the other hand, Mr. Munish Behl, Advocate appearing on behalf of the respondent submitted that he has no objection in case a Sole Arbitrator is appointed by this Court for adjudication of the dispute, even if there was a provision for constituting an Arbitral Tribunal, since the amount involved in the present case is relatively a small amount.

4. In view of the aforesaid facts and circumstances, the present petition is allowed. Sh. Vikas Chatrath, Senior Advocate, resident of House No. 174, Sector 21-A, Chandigarh, Mobile No.9872503300, Email ID: vchatrath@gmail.com, is nominated as the Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory provisions including Section 12 of the Act.

5. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed and communicated by the learned Arbitrator at his convenience.

6. Fee shall be paid to the learned Arbitrator in accordance with the Fourth Schedule of the Arbitration Act, as amended.

7. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.



8. A request letter alongwith a copy of the order be sent to
Sh. Vikas Chatrath, Senior Advocate.

27.11.2025

(JASGURPREET SINGH PURI)

rakesh

JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No