



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

**ARB-379-2025 (O&M)
Date of Decision:03.09.2025**

PVR INOX LIMITED

.....Petitioner

Versus

MANGLAM MULTIPLEX PRIVATE LIMITED

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Sahil Narang, Advocate (Through V.C.) and
Mr. Vipul Joshi, Advocate
for the petitioner.

Mr. Aashish Chopra, Sr. Advocate with
Ms. Rupa Pathania, Advocate and
Mr. Ashish Kundu, Advocate
for the respondent.

JASGURPREET SINGH PURI J.(Oral)

1. The present is a petition filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act'), seeking appointment of an independent and impartial arbitrator in the present case.

2. Learned counsel for the petitioner submitted that there is a valid agreement between the parties, which has been attached along with the present petition as Annexure P-1, whereby there is an arbitration clause at Clause No. 18 providing for the appointment of a sole arbitrator and the procedure for such appointment has been so mentioned therein. He also submitted that as per Clause 18.2, the seat of arbitration has been stated to be at Gurgaon. He also submitted that a dispute has arisen between the



parties and in this regard, the petitioner invoked the arbitration clause by issuing a notice dated 03.05.2025 to the respondent vide Annexure P-2 and proposed an arbitrator. However, the respondent has failed to comply with the same, nor has it suggested any name as an arbitrator and in this way, the procedure so prescribed in the arbitration clause has failed and therefore he submitted that this Hon'ble Court may appoint an independent and impartial arbitrator for adjudicating the dispute.

3. Learned Senior counsel appearing on behalf of the respondent submitted that he has sought specific instructions from the respondent to state that the respondent has no objection in case any independent and impartial sole arbitrator is appointed for adjudication of the dispute, as there exists a valid arbitration clause.

4. In view of the aforesaid facts and circumstances, the present petition is allowed. Hon'ble Mr. Justice Adarsh Kumar Goel, former Judge of Hon'ble Supreme Court, resident of C-2/24, Safdarjung Development Area, New Delhi-114016, Mobile No.9910213040, e-mail ID-adarshkgoel@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. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.



7. A request letter alongwith a copy of the order be sent to Hon’ble Mr. Justice Adarsh Kumar Goel, former Judge of Hon’ble Supreme Court.

03.09.2025

shweta

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No