



ARB-383-2024

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

284

ARB-383-2024

Date of Decision: 04.02.2025

Kiran Pal

...Applicant

Versus

M/s Surya Infracon India Private Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Anshul Mittal, Advocate,
Mr. Sachin Jain, Advocate and
Ms. Meghna Mukherjee, Advocate for the applicant

Mr. Jai Vir Yadav, Senior Advocate with
Mr. Tarun Yadav, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11(5) & (6) of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicant is seeking appointment of an Arbitrator.

2. The parties entered into Share Purchase Agreement dated 10.03.2015 (Annexure P-2). A dispute erupted between the parties. There is an arbitration clause in the aforesaid agreement. The execution of agreement, arbitration clause therein and service of notice invoking arbitration clause is not disputed.

3. Learned Senior counsel for the respondents expressed his inability to controvert execution of arbitration agreement. He leaves it to this Court to make appointment of an independent Arbitrator.



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. C.B. Jaglian, District & Sessions Judge (Retd.), residing at Flat No.D-503, Alaknanda CGHS Plot No.GH-45, Sector 56, Gurugram-122011, Mobile No. 9999056150 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. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.

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. C.B. Jaglian.

(JAGMOHAN BANSAL)
JUDGE

04.02.2025
Mohit Kumar

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