



ARB-387-2024

1

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

ARB-387-2024

Date of Decision:03.02.2025

INDIAN OIL CORPORATION LTD

..... Petitioner

Versus

M/S IQBAL MOTORS TRANSPORT SERVICES

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Ashish Kapoor, Advocate with
Mr. M.S. Rana, Advocate Advocate
for the applicant.

Mr. Pramod Kohli, Sr. Advocate with
Mr. Farhan Mirza, Advocate(Though V.C.) and
Mr. Avinit Avasthi, Advocate for the respondent.

JAGMOHAN BANSAL, J. (Oral)

1. The applicant through instant application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short “1996 Act”) is seeking appointment of an Arbitrator.

2. Pursuant to the tender, the applicant was allotted work vide allotment letter dated 22.07.2022 (Annexure P-1). A dispute erupted between the parties with respect to delivery. There is an arbitration clause in the Packed Bitumen Transportation Agreement. The allotment of work, arbitration clause in the agreement and service of notice is not in dispute.

3. Learned counsel for the respondent submits that 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.



ARB-387-2024

2

5. Ms. Nirmaljit Kaur, former Judge of this Court, residing at 188, Sector 11-A, Chandigarh Mobile No.9610478000 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 her convenience.
7. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 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 Ms. Nirmaljit Kaur.

(JAGMOHAN BANSAL)
JUDGE

03.02.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No