

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

2025:PHHC:176418



(220)

ARB-432-2025(O&M)

Date of Decision: 19.12.2025

Ram Avtar Gupta

--Applicant

Versus

Haryana State Warehousing Corporation

--Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI.

Present:- Mr. Varun Veer Chauhan, Advocate for the applicant.

Ms. Dheerja, Advocate for respondent.

JASGURPREET SINGH PURI.J (Oral)

CM-22448-CII-2025

Application is allowed as prayed for.

Reply on behalf of respondent is taken on record.

Main Case

1. The present application has been filed under Section 11 (5) and 11(6) of the Arbitration & Conciliation Act, 1996 for appointment of an independent Arbitrator for the resolution of dispute between the parties.

2. Learned counsel for the applicant submits that there was an agreement between the parties, which has been attached along with the present application as Annexure P-1 and the agreement contains arbitration clause in para no.25-A (ii) of the agreement. It is submitted that a notice was issued by the applicant to the respondent and thereafter an Arbitrator

was appointed but the learned Arbitrator recused and has not initiated the arbitration proceedings and hence the present application has been filed for appointment of sole Arbitrator.

3. On the other hand, learned counsel appearing on behalf of respondent has submitted that she has sought instructions from the respondent to state that respondent has got no objection in case an independent sole Arbitrator is appointed by this Court for the resolution of the dispute.

4. In view of the facts and circumstances noticed hereinabove and the statement made by learned counsel for the respondent, this Court is of the considered view that all the essential conditions for appointment of an Arbitrator under Section 11 of the Arbitration & Conciliation Act, 1996, stand satisfied. Consequently, the present petition is allowed. Mr. Justice K.S. Garewal, a former Judge of this Court, House No.1065/1, Sector 39B, Chandigarh, Mobile No.9876002909, E-mail ID kamal.garewal@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 learned Arbitrator on date, time and place to be fixed and communicated by learned Arbitrator at his convenience.

6. Fee shall be paid to 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 along with a copy of the order be sent to Mr. Justice K.S. Garewal, a former Judge of this Court.
9. Pending misc. application(s), if any, shall also stand disposed of.

(JASGURPREET SINGH PURI)
JUDGE

19.12.2025
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No