

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

257

ARB-419-2024

Date of Decision: 13.01.2025

Meena Bazaar

...Applicant

Versus

Rajesh Rani

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Sushil K. Tekriwal, Advocate,
Mr. Anupam Singla, Advocate and
Dr. Mamta Tekriwal, Advocate for the applicant

Mr. Devender Kr. Kataria, Advocate for the respondent

JAGMOHAN BANSAL, J. (Oral)

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

2. The parties executed a Letter of Intent (for short '**LOI**') dated 29.09.2021 (Annexure A-1) vide which the subject property was leased by the respondent to the applicant. A dispute erupted between the parties. There is an arbitration clause in the aforesaid LOI. The execution of LOI, arbitration clause therein and service of notice under Section 21 of 1996 Act is not disputed.

3. Mr. Devender Kr. Kataria, Advocate appeared and filed his Power of Attorney on behalf of the respondent. The same is taken on record. Registry is directed to tag the same at an appropriate place.

4. Learned counsel for the respondent submits that he leaves it to this Court to make appointment of an independent Arbitrator.

5. 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.

6. Dr. Shiva Sharma, District & Sessions Judge (Retd.), residing at House No.195, Sector 56 (HUDA Plots), Gurugram, Haryana, Mobile No.9560520062 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.

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

8. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

9. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

10. 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.

11. A request letter along with copy of this order be sent to Dr. Shiva Sharma.

(JAGMOHAN BANSAL)
JUDGE

13.01.2025
Mohit Kumar

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