



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

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ARB-438-2024

Date of decision: 06.03.2025

ASHWANI KUMAR

....APPLICANT

Vs.

THE NATIONAL INSURANCE CO. LTD.

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Jasleen Kaur, Advocate
for the applicant.

Mr. Punit Jain, Advocate
for 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. Reply filed on behalf of respondent-National Insurance Company Limited is taken on record. Registry is directed to tag the same at an appropriate place.
3. The parties entered into arbitration agreement. A dispute erupted between the parties. The applicant served notice upon respondent seeking resolution of dispute through arbitral tribunal but to no avail.
4. The execution of arbitration agreement and service of notice invoking arbitration clause is not disputed.
5. Mr. Punit Jain, Advocate submits that respondent has already paid outstanding dues, thus, claim of applicant is misconceived. They may be granted liberty to raise all issues before the Arbitrator.



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6. 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.

7. Mr. Justice Gurbir Singh, Former Judge of this Court, residing at #148-L, Model Town, Ludhiana, Mobile No. 8558807002 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.

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

9. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.

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

11. 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.

12. A request letter along with copy of this order be sent to Mr. Justice Gurbir Singh (retd.).

06.03.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

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