



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

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**ARB-465-2024 (O&M)
Date of decision: 19.03.2025**

SARAF THE JEWELLERS**....APPLICANT****Vs.****GREATER MOHALI AREA DEVELOPMENT AUTHORITY (GMADA)****PUDA BHAWAN AND ANR.****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Anil Sharma, Advocate
for the applicant.

Mr. J.S. Gill, Advocate
for the respondents.

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. Short reply by way of affidavit of Ravinder Singh, Estate Officer (Plots), GMADA at PUDA Bhawan, Sector-62, SAS Nagar filed on behalf of respondents No. 1 and 2 is taken on record. Registry is directed to tag the same at an appropriate place.
3. The parties entered into arbitration agreement dated 08.02.2018. A dispute erupted between the parties. The applicant served notice upon respondent seeking resolution of dispute through arbitral tribunal but to no avail.
4. Mr. J.S. Gill, Advocate, counsel for the respondents expressed his inability to controvert execution of arbitration agreement and service of notice, however, submitted that applicant is not entitled to discount/rebate as applicant did not make payment in one go.

5. The issue raised by respondents needs to be adjudicated by Arbitral Tribunal.
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 M.M. Kumar, former Chief Justice of J&K High Court, residing at House No. 79, Sector 16-A, Chandigarh, Mobile No. 9888824752 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 M.M. Kumar.
13. Pending miscellaneous application(s), if any, shall also stand disposed of.

19.03.2025
manoj

Whether speaking/reasoned
Whether reportable

[JAGMOHAN BANSAL]
JUDGE
Yes/No
Yes/No