



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

278

ARB-494-2024

Date of decision: 05.03.2025

M/S KHOSLA ENTERPRISES

...APPLICANT

Vs.

PUNJAB SMALL INDUSTRIES & EXPORT CORPORATION AND
OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Amit Gupta, Advocate and
Mr. Nikhil Handu, Advocate
for the applicant.

Mr. Rakesh Roy, Advocate for
Mr. Abhilaksh Gains, 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. The parties entered into arbitration agreement dated 15.12.2015. A dispute erupted between the parties. The applicant served notice upon respondent seeking resolution of dispute through arbitral tribunal but to no avail.
3. Mr. Abhilaksh Gains, Advocate, counsel for the respondent submits that claim raised by applicant is time barred because as per agreement, he was required to invoke arbitration clause within 180 days.
4. The execution of arbitration agreement and service of notice invoking arbitration clause is not disputed.

**ARB-494-2024****-2-**

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. Mr. Justice Jasbir Singh, Retired Judge of this Court, residing at House No.839, Sector 16, Chandigarh, Mobile No. 9780008106 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 1996 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 Mr. Justice Jasbir Singh (retd.)

05.03.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

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