



ARB-519-2024

-1-

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

278

ARB-519-2024

Date of Decision: 20.05.2025

M/s Libra Associates

...Applicant

Versus

International Institute of Telecom Technology and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Rohit Mittal Advocate for the applicant
(*through video conferencing*)

Mr. C.S. Pasricha, Advocate and

Mr. Sushil K. Bhardwaj, 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 03.03.2015 (Annexure P-1). A dispute erupted between the parties. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

3. Learned counsel for the respondent submits that respondent filed Civil Suit in the year 2016 which was returned on account of availability of alternative remedy of arbitration. The applicant has wrongly



raised claim against the respondent. It is rather the respondent who has to recover a substantial amount from the applicant. The claim of the applicant is time barred. In any case, the respondent may be permitted to raise all the issues including filing of counter claim before the Arbitrator.

4. 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.

5. Mr. Khem Karan Goyal, Additional District & Sessions Judge (Retd.), residing at House No.382, IAS-PCS Society, Mullanpur, Garibdass, District S.A.S. Nagar, Mohali, Mobile No.8558873011 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.

6. The parties at the first instance will appear before the Arbitrator on 04.06.2025 at 10.00 A.M. and thereafter, as directed by learned Arbitrator.

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

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

9. 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.



ARB-519-2024

-3-

10. A request letter along with copy of this order be sent to Mr. Khem Karan Goyal.

(JAGMOHAN BANSAL)
JUDGE

20.05.2025
Mohit Kumar

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