



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

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ARB-528-2024

Date of decision: 12.03.2025

GODREJ AGROVET LIMITED**....APPLICANT****Vs.****MAHADEV SOLVENT PRIVATE LIMITED****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Gautam Dutt, Advocate and
Ms. Shiti Jain Dutt, Advocate
for the applicant.

Mr. Deepak Gupta, Advocate and
Mr. Pawan Kumar, 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 entered into arbitration agreement dated 09.02.2023. 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. Deepak Gupta, Advocate appeared on behalf of respondent and filed Power of Attorney which is taken on record. Registry is directed to tag the same at an appropriate place.

4. Mr. Deepak Gupta, Advocate submits that as per arbitration agreement, the venue of arbitration shall be in Mumbai. He has no objection to appointment of an Arbitrator, if seat of the Arbitrator is fixed at Chandigarh. A retired Judge of this Court may be appointed as a sole Arbitrator.

5. Mr. Gautam Dutt, Advocate does not oppose aforesaid offer of

Mr. Deepak Gupta and it leaves to this Court to appoint an Arbitrator.



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6. The execution of arbitration agreement and service of notice invoking arbitration clause is not disputed.
7. 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.
8. In view of statement of both sides, a sole Arbitrator is hereby appointed whose seat would be at Chandigarh.
9. 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.
10. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.
11. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.
12. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.
13. 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.
14. A request letter along with copy of this order be sent to Mr. Justice M.M. Kumar.

12.03.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No