



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

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ARB-546-2024

Date of Decision: 29.01.2025

M/s Shree Radha Raman Processing Private Limited**...Applicant****Versus****Punjab Small Industries and Export Corporation and another****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Ms. Rashika Bansal, Advocate for
Mr. Dheeraj Mahajan, Advocate for the applicant

Mr. Rakesh Roy, Advocate for
Mr. Abhilaksh Gaiind, 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 applicant was allotted an industrial plot by the respondent vide allotment letter dated 19.01.2004 (Annexure P-1). A dispute erupted between the parties. There is an arbitration clause in the aforesaid allotment letter. The issuance of allotment letter, arbitration clause therein and service of notice under Section 21 of 1996 Act is not disputed.

3. Learned counsel for the respondents expressed his inability to controvert existence of arbitration clause in the allotment letter. He leaves it to this Court to make appointment of an independent 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. Iswar Dutt, Retired Additional District & Sessions Judge, residing at Flat No.1, Swastik Vihar, Phase-3, MDC, Sector-5, Panchkula, Mobile No.8196919999 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. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.
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.
10. A request letter along with copy of this order be sent to Mr. Iswar Dutt.

(JAGMOHAN BANSAL)
JUDGE

29.01.2025
Mohit Kumar

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