



ARB-557-2024

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

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ARB-557-2024

Date of Decision: 29.07.2025

Raj Rani

...Applicant

Versus

M/s Shree Shyam Enterprises and others

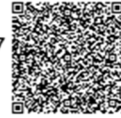
...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Ashwani Talwar, Advocate,
Mr. Gandharav Malhotra, Advocate and
Ms. Pratiksha Sharma, Advocate for the applicant
Mr. Rajender Chhokar, 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 28.07.2020 (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. Reply filed in Court on behalf of the respondents is taken on record subject to just exceptions. Registry is directed to tag the same at an appropriate place.



4. Learned counsel for the respondents submits that applicant is a retired partner and she cannot file instant application seeking appointment of Arbitrator.

5. Learned counsel for the applicant submits that as per Clause 12 of the Retirement-cum-Admission Partnership Deed dated 28.06.2023 (Annexure P-2), in case of any dispute of misunderstanding arising out of the conduct of parties same shall be referred to Arbitrator.

6. I have heard the arguments of learned counsel for both sides and perused the record with their able assistance.

7. Clause 12 of the Retirement-cum-Admission Partnership Deed reads as: -

“12. That in case of any dispute of misunderstanding arising out of the conduct of parties same shall be referred to the arbitrator appointed by the parties whose award shall be final and binding upon parties under the provisions of Indian Partnership Act, 1932.”

8. 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.

9. Mr. Justice Vivek Puri, Former Judge of this Court, residing at House No. 237, Sector 16-A, Chandigarh, Mobile No. 8558800190 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. The parties at the first instance will appear before the Arbitrator on 13.08.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.
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 Vivek Puri.

(JAGMOHAN BANSAL)
JUDGE

29.07.2025
Mohit Kumar

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