

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

260

ARB-582-2024

Date of Decision: 13.01.2025

M/s Hari Om Trading Co.

...Applicant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Vikas Chaudhary, Advocate for the applicant

Ms. Dimple Jain, Deputy Advocate General, Haryana

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 agreement dated 21.10.2021 (Annexure A-2). A dispute erupted between the parties. There is an arbitration clause in the aforesaid agreement. The execution of agreement, arbitration clause therein and service of notice under Section 21 of 1996 Act is not disputed.

3. Reply filed by the respondents is taken on record. Registry is directed to tag the same at an appropriate place.

4. Learned State counsel submits that the applicant has not supplied/returned rice as per agreement despite repeated notices. It is the applicant who is at fault.

5. The arguments of respondent-State disclose that there is dispute between the parties and arbitration clause is undisputed, thus, issues raised

by respondent-State needs to be adjudicated by Arbitral Tribunal.



6. 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.
7. Mr. Justice Pramjeet Singh Dhaliwal, Former Judge of this Court, residing at House No.2254, Sector 35-C, Chandigarh, Mobile Nos.7837049204 & 9814115825 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.
8. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.
9. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.
10. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.
11. 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.
12. A request letter along with copy of this order be sent to Mr. Justice Pramjeet Singh Dhaliwal.

(JAGMOHAN BANSAL)
JUDGE

13.01.2025
Mohit Kumar

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