



ARB-611-2024 (O&M)

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

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ARB-611-2024 (O&M)

Date of Decision: 26.08.2025

Hitendra Narain Mishra

...Applicant

Versus

M/s Rohan BRC Gas Equipment Pvt. Ltd. and another ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - None for the applicant

Mr. Vijiyesh Malhotra, Advocate

Mr. Pankaj Aggarwal, Advocate and

Mr. Kamal Dave, Advocate for respondent No.1

Mr. Manjot Singh, Advocate and

Mr. L.C. Agrawala, Advocate for respondent No.2

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11 of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicant is seeking appointment of an Arbitrator.

2. The applicant was issued employment agreement dated 08.07.2021 by the respondent. A dispute erupted between the parties. There is an arbitration clause in the employment agreement. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

3. Learned counsel for respondent No.2 submits that respondent No.2 is not party to arbitration agreement, thus, application *qua* it is not maintainable.



4. Learned counsel for respondent No.1 expressed his inability to controvert existence of arbitration clause in employment agreement and service of notice.

5. 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. Learned Arbitrator would decide role and status of respondent No.2

6. Mr. Justice Uma Nath Singh, Former Chief Justice of Meghalaya High Court, residing at Flat No.124 (Duplex) Vishwakarma Apartment, Cooperative Group Housing Society Ltd. Vasundhra Enclave Delhi-110096, Mobile No.9599337650 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.

7. The parties at the first instance will appear before the Arbitrator on 09.09.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

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

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

10. 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.



11. A request letter along with copy of this order be sent to Mr. Justice Uma Nath Singh.
12. Pending application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

26.08.2025
Mohit Kumar

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