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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-620-2024(O&M)
Date of Decision: 05.12.2025

Harinder Jit Singh

....Petitioner(s)

Versus

Amit Uppal and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rahul Vijay Singh Chugh, Advocate for
Ms. Harpreet Kaur Arora, Advocate,
for the petitioner.

Ms. Lakshita, Advocate and
Ms. Monika Jangra, Advocate for
Mr. Aditya Dassaur, Advocate, for the respondent.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') praying for appointment of an Arbitrator to adjudicate the disputes and differences between the parties.

2. Learned counsel appearing on behalf of the petitioner submitted that a lease deed was executed between the parties by way of an agreement (Annexure P-1) which contains an arbitration clause i.e. Clause 15. He submitted that as per Clause 15, in case a dispute arises between the parties, the matter will be referred to the Arbitral Tribunal. He submitted that despite repeated notices being given to the respondents, no Arbitrator was appointed.

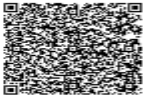


3. Learned counsel submitted that prior to issuance of the aforesaid notices invoking the arbitration clause, a Civil Suit was filed by the petitioner for recovery and in the aforesaid Civil Suit, the respondents filed an application under Section 8 of the Act by referring to the aforesaid Clause 15 that the Civil Suit was not maintainable because of the aforesaid arbitration clause and the aforesaid application under Section 8 of the Act was allowed by learned Court and the Civil Suit was dismissed. He submitted that thereafter the present application has been filed under Section 11 of the Act seeking appointment of a Sole Arbitrator.

4. Learned counsel submitted that although the agreement provides for constitution of an Arbitral Tribunal consisting of three members out of which each party has to nominate one Arbitrator and such nominated Arbitrators thereafter will appoint an umpire but this Court may consider appointment of a Sole Arbitrator instead of the Arbitral Tribunal.

5. Ms.Lakshita,Advocate has appeared on behalf of the respondents through video conferencing alongwith Ms.Monika Jangra, Advocate who has appeared physically in the Court. She submitted that it is correct that it were the respondents who had filed an application under Section 8 of the Act for reference of the matter to arbitration, which was allowed by the learned Civil Court and therefore, she has no objection in case a Sole Arbitrator is appointed. She also submitted that although there is a provision for constitution of an Arbitral Tribunal but it will be in the interest of justice to appoint a Sole Arbitrator.

6. In view of the aforesaid facts and circumstances, the present petition is allowed. Ms.Gargi Kumar, Advocate, resident of Kothi No. 849, Sector 2, Panchkula, Mobile No. 9216212123, Email ID:



gargikumar8492@gmail.com, is nominated as the Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory provisions including Section 12 of the Act.

7. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed and communicated by the learned Arbitrator at her convenience.

8. Fee shall be paid to the learned Arbitrator in accordance with the Fourth Schedule of the Arbitration Act, as amended.

9. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.

10. A request letter alongwith a copy of the order be sent to Ms.Gargi Kumar, Advocate.

05.12.2025

(JASGURPREET SINGH PURI)

rakesh

JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No