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

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Date of Decision: 27.02.2025

M/s Cosmic Healers Private Limited

...Applicant

Versus

The Municipal Corporation, S.A.S. Nagar and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Ajaivir Singh, Advocate for the applicant

Mr. Ajay Jain, 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 10.01.2017 (Annexure P-3). 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. The execution of arbitration agreement and service of notice invoking arbitration clause is not disputed.

4. Learned counsel for the respondent expressed his inability to controvert execution of arbitration agreement and service of notice.

5. Learned counsel for the parties submit that instead of three Arbitrators, a Sole Arbitrator at Chandigarh may be appointed.



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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 Shekher Dhawan, Former Judge of this Court, residing at House No.2109, Sector 21, Chandigarh, Mobile No.8558809941 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 1996 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 Shekher Dhawan.

(JAGMOHAN BANSAL)
JUDGE

27.02.2025
Mohit Kumar

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