

271

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

ARB-679-2025

Date of decision: 08.12.2025

M/S SARUP CHAND AND SONS

...Applicant(s)

VERSUS

M/S BHARAT SANCHAR NIGAM LIMITED

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

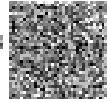
Present:- Mr. Satvinder Singh, Advocate for the applicant.

Ms. Simran Sharma, Advocate for the respondent.

JASGURPREET SINGH PURI, J. (Oral)

1. The present application has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') seeking appointment of an independent Arbitrator to adjudicate the disputes and differences which have arisen between the parties in pursuance of Clause 25 of the agreement (Annexure P-2).

2. Learned counsel for the petitioner submitted that there exists an arbitration clause i.e. Clause 25 and even after exhausting the pre-arbitration mechanism, the dispute still remains unresolved and the applicant issued a notice under Section 21 of the Act by way of a registered post invoking the aforesaid arbitration clause vide Annexure P-4 dated 18.09.2025 and since no response was received from the respondent, the present application has been filed seeking appointment of an independent Arbitrator. He also submitted that



since the conditions for appointment of an Arbitrator under Section 11 of the Act stand fulfilled, an independent Arbitrator may be appointed by this Court.

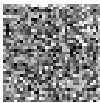
3. On the other hand, Ms. Simran Sharma, Advocate has put in appearance on behalf of the respondent and has filed her power of attorney in the Court today, which is taken on record. She submitted that after the applicant filed the present application under Section 11 of the Act, the respondent proposed the name of one Arbitrator. So far as the existence of the arbitration clause and the notice invoking the said arbitration clause are concerned, she does not dispute the same.

4. After hearing the learned counsels for the parties, the present application is allowed since the conditions for invocation under Section 11 of the Act stand fulfilled. The mere fact that after the filing of the present application under Section 11 of the Act, name of one Arbitrator has been proposed by the respondent is of no significance.

5. Consequently, Sh. Inderjeet Mehta, District and Sessions Judge (Retd.), resident of House No.112, Sector-24, Chandigarh, Mobile No.-9416577277, E-mail ID-9jmehta1958@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.

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

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



8. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.
9. A request letter alongwith a copy of the order be sent to Sh. Inderjeet Mehta, District and Sessions Judge (Retd.).

08.12.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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