(2026:HHC:13810)

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

**Arb. Case No.333 of 2025**
**Date of Decision:- 24.04.2026**

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**Vinod Kumar** **....Petitioner**

**Versus**

**Tarlok Singh & another** **....Respondents**

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*Coram*
***The Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice***
***Whether approved for reporting?***[1]

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|---|---|---|
| For the Petitioner | : | Mr. Yudhvir Singh Thakur, Advocate. |
| For the Respondents | : | Mr. Dushyant Dadwal, Advocate. |

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***G.S. Sandhawalia, Chief Justice*** *(Oral).*

The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator on account of the dispute which has arisen within the partnership deed dated 29.05.2003 which is apparently on account of running the Jai Public School, Banuri and the land on which the building of the school is constructed and the fact that the Rajni Devi, wife of the petitioner had expired and son was liable to be inducted as a partner on the basis of the partnership deed.

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[1] Whether reporters of Local Papers may be allowed to see the judgment?

**2.** The dispute is stated to have arisen after May, 2024 as per the notice sent on 09.01.2025 **(Annexure P-4).** The respondents had objected to the proposal of the retired Revenue Officer to be appointed as an Arbitrator as such in reply to the notice dated 29.01.2025 **(Annexure P-5).**

**3.** Though, in sum and substance, the petition had been objected to by filing the reply, but during the course of the arguments, counsel(s) have been gracious to submit that the matter has to be resolved *inter se* the parties and there is a Clause of arbitration and therefore, if the Arbitrator is appointed, they have no objection. It has been requested that since the matter pertains to the District Kangra, Himachal Pradesh it would be appropriate to appoint an Arbitraror who hails from District, Kangra, Himachal Pradesh.

**7.** Resultantly, the application is allowed and Mr. Rahul Gupta, Advocate, S/o Late Justice V.P. Gupta, R/o 460, Depot Bazar, Dharamshala, District Kangar, Himachal Pradesh is appointed as an Arbitrator (Mobile No.9418068113) to adjudicate the dispute between the parties, after his disclosure in writing is obtained in terms of Section 11(8) of the Act and only after receipt thereof, his appointment, as an Arbitrator, shall come into force.

**8.** On his giving consent to arbitrate the dispute between the parties as an Arbitrator, Mr. Rahul Gupta shall enter into reference, and shall pass an award in accordance with law.

**9.** Copy of this order be furnished to the learned counsel for the parties and also be furnished to the learned Arbitrator. The learned Arbitrator so appointed shall be entitled to fee as per stipulation contained in 4th Schedule appended to the Arbitration and Conciliation Act, 1996.

**10.** Accordingly, the application is disposed of alongwith pending miscellaneous application(s), if any.

**(G.S. Sandhawalia)**
**Chief Justice**

**24th April, 2026**
**(Munish Thakur)**