

247

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ARB-38-2025 (O&M)
Date of decision: 08.04.2026

OCUS SKYSCRAPERS REALTY PRIVATE LIMITED AND ANOTHER
...Applicant(s)

VERSUS

RAJ KUMAR JAIN AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

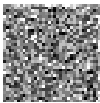
Present:- Mr. Yashvir S. Balhara, Advocate for the applicants.

Mr. Rakshit Srivastava, Advocate for the respondents.
(Through Video Conferencing)

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.

2. Learned counsel for the applicants submitted that there exists an agreement between the parties vide Annexure P-11, which contains an arbitration clause i.e. Clause 9 providing for the settlement of disputes through arbitration by a Sole Arbitrator. He further submitted that a dispute arose between the parties and the applicants invoked the aforesaid arbitration clause by issuing a notice dated 05.11.2024 (Annexure P-16) but the mechanism has failed and therefore, the present application has been filed. He also submitted that the matter was referred to the Mediation and Conciliation Centre of this Court but the mediation has failed and therefore, any independent Sole Arbitrator may be appointed by this Court.



3. On the other hand, Mr. Rakshit Srivastava, learned counsel for the respondents has joined the proceedings through video conferencing and submitted that it is correct that the matter was referred to the Mediation and Conciliation Centre of this Court but the mediation has failed. He further submitted that he has instructions to state that the respondents have no objection in case any independent Sole Arbitrator is appointed by this Court.
4. In view of the above, the present application is allowed. Ms. Shashi Bala Chauhan, Addl. District & Sessions Judge (Retd.), resident of House No.-1827, Sector-52, Gurugram, mobile No.-8930275275, 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.
5. 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.
6. Fee shall be paid to the learned Arbitrator in accordance with the Fourth Schedule of the Arbitration Act, as amended.
7. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.
8. A request letter alongwith a copy of the order be sent to Ms. Shashi Bala Chauhan, Addl. District & Sessions Judge (Retd.).

08.04.2026
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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