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

**ARB-70-2026 (O&M)
Date of Decision:09.03.2026**

M/S Dalip Singh Adhikari**.....Petitioner****Versus****M/S New India Assurance Co. Ltd.****.....Respondent****CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI****Present:- Mr. Vineet Kumar, Advocate for the petitioner (through V.C.).**

Mr. Ashwani Talwar, Sr. Advocate with
Mr. Siddheshwar Hans, Advocate,
Mr. Deepak Goyat, Advocate and
Ms. Vaishnavi Sikka, Advocate for the respondent.

JASGURPREET SINGH PURI J.(Oral)

1. The present is a petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act'), seeking appointment of a sole arbitrator in the present case.

2. Learned counsel for the petitioner appearing through V.C. submitted that the respondent is an insurance company and there are terms and conditions of the agreement between the parties, which have been annexed along with the present petition as Annexure P-4, wherein an arbitration clause is contained in paragraph No.7 providing that a dispute pertaining to the quantum is to be referred to a sole Arbitrator and if the parties do not agree upon a single Arbitrator within 30 days then an Arbitral



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Tribunal consisting of three members is to be constituted. He further submitted that since a dispute pertaining to quantum arose between the parties, the petitioner served a notice dated 27.06.2025 upon the respondent vide Annexure P-9 for invoking the arbitration clause. In response thereto, a reply was filed by the respondent in which the respondent-company proposed its own Arbitrator, which was not acceptable to the petitioner. He further submitted that as per the aforesaid clause, if the parties are unable to agree upon a Sole Arbitrator, then in such a case an Arbitral Tribunal is to be appointed. However, this Court may appoint any Sole Arbitrator for the purpose of adjudicating the dispute, subject to approval by the respondent in this regard.

3. On the other hand, learned Senior counsel for the respondent submitted that he has received an advance copy of the present petition and he has instructions to state that any Sole Arbitrator may be appointed by this Court. He, however, submitted that the respondent may be permitted to raise all the legally permissible pleas before learned Arbitrator at an appropriate stage.

4. I have heard the learned counsels for the parties.

5. In view of the aforesaid facts and circumstances and the submissions made by learned Senior counsel for the respondent, this Court is of the view that since learned counsel for the parties have submitted that any Sole Arbitrator may be appointed, this Court deems it fit and proper to appoint a Sole Arbitrator. Consequently, the present petition is allowed.

Mr. Kulwant Singh Rai (Boparai), Advocate, resident of House No. 1139,



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Sector 71, Mohali, Mob.No.9814120718, Email: kulwant0096@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. Liberty is granted to the respondent to raise all the legally permissible pleas in accordance with law before the learned Arbitrator at an appropriate stage.

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

8. Fee shall be paid to 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 Mr. Kulwant Singh Rai (Boparai), Advocate.

09.03.2026

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**(JASGURPREET SINGH PURI)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No