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

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ARB-100-2026 (O&M)

Date of Decision :15.05.2026

Nephro Care Health Services Ltd.

...Petitioner

VERSUS

Dr. Lal Ji Kidney Care Centre LLP and Others

...Respondents

CORAM : HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Mohit Sadana, Advocate for the petitioner.

Mr. Ramneek Vasudeva, Advocate for the respondent.

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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 petitioner submitted that there is an agreement between the parties vide Annexure P-2 dated 17.01.2025 in the nature of Healthcare Dialysis Services Agreement. He submits that in the aforesaid agreement there is a clause pertaining to arbitration, i.e clause No.20, which provides that all the disputes in connection with this agreement will be resolved amicably by mutual negotiations, failing which, the parties herein shall refer the dispute for arbitration in accordance with Arbitration and Conciliation Act, 1996. He also submitted that since a dispute arose between the parties and the matter was not amicably resolved

between the parties, the petitioner, thereafter issued a notice invoking the arbitration clause under Section 21 of the Act vide Annexure P-7 dated 22.12.2025 and also proposed that any retired District Judge or any retired High Court Judge, may be appointed as sole Arbitrator, but no response was received from the respondent and in this way the mechanism for appointment of an Arbitrator as per the agreement has failed and therefore, present petition has been filed seeking appointment of an independent Arbitrator.

3. On the other hand, Mr. Ramneek Vasudeva, Advocate appearing on behalf of the respondent has filed written statement on behalf of the respondents, which is taken on record. He submitted that there is no dispute with regard to the agreement (Annexure P-2) dated 17.01.2025 between the parties which contains the aforesaid arbitration clause and also submitted that there is no dispute with regard to the issuance of notice under Section 21 of the Arbitration Act by the petitioner against the respondent.

4. I have heard learned counsel for the parties. Clause No.20 of the aforesaid agreement is reproduced as under:-

*“**Arbitration:-** The Parties herein shall resolve all disputes in connection with this agreement amicably by mutual negotiation, failing which, the Parties herein shall refer the dispute for arbitration in accordance with the Arbitration and Conciliation Act, 1996, with its statutory modifications, enactments or re-enactments thereto.”*

5. The agreement between the parties containing the aforesaid clause as well as the invocation thereof under Section 21 of the Act has not been disputed by learned counsel for the respondent.

6. In view of the above, since both the conditions necessary for the appointment of Arbitrator remain satisfied, the present application is allowed. Hon'ble Mr. Justice Gurvinder Singh Gill, Former Judge of this Court, resident of House No. 1128, Sector 8-C Chandigarh, mobile No. 9646293001, e-mail ID- gsgill12@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.

7. Liberty is granted to the respondent to take all the legally permissible pleas available to it in accordance with law before the learned Arbitrator at an appropriate stage.

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

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

10. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.

11. A request letter alongwith a copy of the order be sent to Mr. Justice Gurvinder Singh Gill, Former Judge of this Court.

12. Pending application(s), if any, is/are disposed of.

May 15, 2026
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(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No