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

ARB-94-2026

Date of decision: 02.04.2026

TARA SALES CORPORATION

...Applicant(s)

VERSUS**NATIONAL FERTILIZERS LIMITED (NFL)**

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

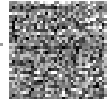
Present:- Mr. Rohan Garg, Advocate
(Through Video Conferencing),
Ms. Rubina Virmani, Advocate and
Ms. Prachi Gupta, Advocate for the applicant.

Mr. Ashwani Talwar, Senior Advocate with
Ms. Vaishnavi Sikka, 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.

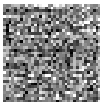
2. Learned counsel for the applicant submitted that there is an agreement between the parties vide Annexure P-1, which is a contract agreement containing an arbitration clause i.e. Clause 11.1, which provides that when the claim value is less than Rs.5 crores, the matter shall be referred to a Sole Arbitrator in accordance with the provisions of the Arbitration and Conciliation Act, 1996. He further submitted that the claim value in the present



case is less than Rs.5 crores and therefore, any independent Sole Arbitrator may be appointed by this Court. He also submitted that since a dispute arose between the parties, the applicant invoked the aforesaid arbitration clause by issuing a notice dated 19.12.2025 (Annexure P-5), proposing the name of an Arbitrator, to which a reply was received vide Annexure P-6, wherein the respondent denied the claim and stated that the Sole Arbitrator so proposed by the applicant is not acceptable and therefore, the present application has been filed seeking appointment of an independent Arbitrator.

3. On the other hand, Mr. Ashwani Talwar, learned Senior Counsel appearing on behalf of the respondent submitted that he has specific instructions to state that the respondent has no objection in case any independent Sole Arbitrator is appointed by this Court as there is no dispute with regard to existence of the contract as well as the arbitration clause and it is also not disputed that the applicant invoked the arbitration clause by issuing a notice vide Annexure P-5. He has however submitted that liberty may be granted to the respondent to raise all the legally permissible pleas in accordance with law before the learned Arbitrator at an appropriate stage.

4. In view of the above, the present application is allowed. Mr. Justice Darshan Singh, a former Judge of this Court, resident of House No.56, Sector16-A, Chandigarh, mobile No.-08558809940, e-mail ID-singhdarshan191@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.



5. 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.
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 Mr. Justice Darshan Singh, a former Judge of this Court.

02.04.2026
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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