



ARB-140-2026 (O&M)

-1-

281

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

**ARB-140-2026 (O&M)
Date of Decision: 07.04.2026**

M/s Landmark Apartments Private Limited

.... Applicant

Versus

Kaushalya Devi and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Karanvir Hooda, Advocate,
for the applicant.

Mr. Ambanshu Sahni, Advocate,
for the respondents.

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') praying for appointment of an Arbitral Tribunal to adjudicate upon the disputes which have arisen between the parties.

2. Learned counsel for the applicant submitted that a collaboration agreement was executed between the applicant and the respondent vide Annexure P-3 dated 02.03.2008 wherein there exists a valid arbitration clause i.e. Clause 35, which provides for constitution of an Arbitral Tribunal. He further submitted that when a dispute arose between the parties, the applicant invoked the aforesaid arbitration clause by issuing a notice under Section 21 of the Act to the respondents vide Annexure P-13 dated 27.01.2026, but no response was received from the respondent in this regard. Therefore, the present application has been filed under Section 11 of the Act for appointment of an independent Sole Arbitrator.



ARB-140-2026 (O&M)

-2-

3. Learned counsel further submitted that although arbitration clause provides for constitution of an Arbitral Tribunal comprising of three members, but considering the claim value in the present case, any Sole Arbitrator may be appointed by this Court.

4. On the other hand, Mr. Ambanshu Sahni, Advocate has caused appearance and filed his Power of Attorney on behalf of respondent No.1 in Court today and prays that the Power of Attorney be taken on record.

5. The request of learned counsel for respondent No.1 is accepted. The Power of Attorney on behalf of respondent No.1 is taken on record.

6. Learned counsel for the respondent submitted that so far as respondent No.2 is concerned, respondent No.1 holds a General Power of Attorney from respondent No.2, which is annexed as Annexure P-4 with the present application by the applicant itself. He thus appears on behalf of both respondents.

7. Learned counsel also submitted that he has sought specific instructions from both the respondents to state that the respondents have no objection in case any independent Sole Arbitrator is appointed by this Court considering the fact that there exists a valid arbitration clause in the collaboration agreement (Annexure P-3) and the same has been invoked by the applicant vide the aforesaid notice dated 27.01.2026

8. In view of aforesaid stand taken by learned counsel for the respondents, the present application is allowed. Considering that both the learned counsels for the parties have specifically given their consent for the appointment of a Sole Arbitrator in place of an Arbitral Tribunal, Ms. Justice Jaishree Thakur, a former Judge of this Court, resident of House No. 36, Sector 8-A, Chandigarh. Mobile No.9814125236, Email ID.

**ARB-140-2026 (O&M)****-3-**

Jaishreethakur61@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.

9. 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.

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

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

12. A request letter alongwith a copy of the order be sent to Ms. Justice Jaishree Thakur, a former Judge of this Court.

07.04.2026*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |