



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

ARB-340-2023

Date of decision : 30.01.2026

Param Preet Singh alias P.P. Singh

.....Applicant

Versus

M/s VCORP Developers Pvt. Ltd. and another

....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present: Mr. Ajaivir Singh, Advocate (through video conferencing),
for the petitioner.

SHEEL NAGU, CHIEF JUSTICE

1. Nobody has appeared on behalf of the respondents, despite repeated notices having been issued and also the respondents having been served by substituted service, i.e. publication, relevant newspaper cuttings of which are on record.

2. In view of above, this Court proceeds to decide the matter on merits.

3. The instant petition has been filed u/s 11 of the Arbitration and Conciliation Act, 1996 ('1996 Act' for brevity), seeking appointment of Arbitrator.

4. The rival parties herein entered into tripartite agreement dated 4.04.2014 (Annexure P-1) containing an arbitration clause as follows :

“17. All disputes, differences and/or claims of any nature or under any circumstances whatsoever arising out of and/or in connection with and/or touching this agreement or as to the construction, meaning or effect hereof or as to



the rights, liabilities of the parties hereunder shall be settled by Arbitration to be held in Haryana accordance with the Arbitration & Conciliation Act 1996 and/or any statutory amendments or modifications or re-enactment thereof and shall be referred to the sole Arbitration of an Arbitrator to be appointed by the parties to with mutual understanding. In the event of death, refusal, neglect, inability or incapability of the person so appointed to act as an Arbitrator, the both may appoint a new Arbitrator of its own choice and at its sole, exclusive discretion. The Award of the Arbitrator shall be conclusive, final and binding on all the parties concerned and such arbitration shall be governed by the Arbitration and Conciliation Act, 1996 (26 of 1996).”

4.1 Dispute erupted between the parties. The petitioner served notice dated 15.02.2022 (Annexure P-12) upon the respondents invoking arbitration clause and calling upon the respondents to concur but to no avail. Therefore, petitioner invoked jurisdiction of this Court for appointment of an Arbitrator by filing this petition.

5. Pre-requisites for invoking power u/s 11 (6) of 1996 Act stand satisfied. Moreover, there appears no dispute pertaining to execution of arbitration agreement, exhaustion of remedy by petitioner under the arbitration clause in the agreement between rival parties, service of notice, dispute between the parties being arbitrable and the cause not being a deadwood.

6. Accordingly, in view of the facts mentioned above, this Court finds no impediment in appointing an Arbitrator.

7. Mr. Justice Rakesh Kumar Jain, former Judge of this Court, residing at House No. 133, Sector 35-A, Chandigarh, 2nd address House No.4/1, B-4, Near Hauz Khas, Sarvpriya Vihar, New Delhi, Mobile No.

9780008134, is hereby appointed as Sole Arbitrator to adjudicate the disputes



arising between the parties, subject to compliance of the statutory requirements under 1996 Act before entering upon the reference.

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

9. The Arbitrator is appointed with the liberty to determine jurisdiction, including ruling on any objections with respect to the existence or validity of the arbitration agreement and the scope of the Arbitrator’s authority in accordance with Section 16 of 1996 Act.

10. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of 1996 Act, as amended from time to time, or fee as agreed to by the parties.

11. The Arbitrator is requested to complete the arbitral proceedings as per time limit stipulated u/s 29-A of 1996 Act.

12. Any observation made hereinabove is meant merely for passing this order and shall not be construed as expression on merits of the dispute.

13. A request letter along with copy of this order be sent to Mr. Justice Rakesh Kumar Jain, former Judge of this Court.

14. Application stands allowed.

(SHEEL NAGU)
CHIEF JUSTICE

January 30, 2026
ndj

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