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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-666-2025(O&M)
Date of Decision: 16.01.2026

M/S PIONEER FACILITY MANAGEMENT LIMITED

....Petitioner(s)

Versus

DALIP KHUBCHANDANI

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rajat Khanna, Advocate,
for the petitioner.

None for the respondent.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') praying for appointment of an independent Arbitrator to adjudicate the disputes and differences which have arisen between the parties pertaining to an agreement entered into between the parties.

2. Learned counsel appearing on behalf of the petitioner submitted that there was an agreement (Annexure P-1) between the parties wherein there exists a valid arbitration clause i.e. Clause 10(xix) which provides that in the event of any differences or disputes arising between the Maintenance Agency and the User in respect of any matter connected with the accuracy of bills, supply of services or interpretation of any of these terms and



conditions which cannot be determined amicably, or settled through an agreement between the Maintenance Agency and the User, the matter shall be referred to arbitration of Sole Arbitrator appointed by the Parties mutually. He submitted that a dispute arose between the parties with regard to the aforesaid agreement and thereafter, a notice under Section 21 of the Act was issued to the respondent vide Annexure P-5 dated 11.07.2025 invoking the aforesaid clause by suggesting the name of a Sole Arbitrator but no response was received from the respondent. He submitted that since all the essential conditions for the appointment of an Arbitrator have been fulfilled and the respondent is deliberately not appearing before the Court despite being served, any independent Sole Arbitrator may be appointed by this Court.

3. I have heard the learned counsel for the petitioner.

4. On 07.11.2025, notice was issued by this Court and on 28.11.2025, it was observed that as per the report of the Registry, notice issued to the respondent has been received back served through wife but none has appeared on behalf of the respondent and still in the interest of justice, the matter was adjourned for 18.12.2025. Still nobody has appeared on behalf of the respondent today. Service has been effected upon the adult member of the family i.e the wife of the respondent.

5. From the perusal of the agreement (Annexure P-1) and the aforesaid arbitration clause 10 (xix) and the notice under Section 21 of the Act would show that all the essential conditions for appointment of an Arbitrator under Section 11 of the Act have been satisfied.

6. In view of the aforesaid facts and circumstances, the present petition is allowed. Ms. Amandeep Kaur, Advocate, resident of B17, AI,

Anand Nagar, Kharar, District Mohali, Mobile No.9914338410, 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. 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.

8. Fee shall be paid to the 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 Ms. Amandeep Kaur, Advocate.

16.01.2026

rakesh

Whether speaking

Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

:

:

Yes/No

Yes/No