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

**ARB-719-2025 (O&M)
Date of Decision: 16.04.2026**

Pepsico India Holdings Private Limited

.... Applicant

Versus

Mr. Yashwant Reddy

.... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rohit Khanna, Advocate (through V.C.) &
Ms. Manreet Kaur, Advocate,
for the applicant.

Mr. Guneet Sidhu, Advocate &
Mr. Dhruv Trehan, Advocate,
for the respondents.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present application has been filed under Section 11(5), 11(6) & 11(8) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') praying for appointment of an independent Sole Arbitrator to adjudicate upon the disputes and differences which have arisen between the parties.

2. Learned counsel for the applicant has caused appearance through video conferencing and submitted that a Lease Agreement was executed between the applicant and the respondent wherein there exists a valid arbitration clause i.e. Clause 23 (Annexure P-1). The said arbitration clause provides that in the event that any dispute arises between the parties in connection with this Agreement or the construction of any provision thereof or the rights, duties or liabilities of the parties hereto under this Agreement, the matter shall be resolved by final and binding arbitration by

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one arbitrator to be jointly appointed by the parties. He further submitted that since a dispute has arisen between the parties and they have failed to jointly appoint an Arbitrator, the present application has been filed under Section 11 of the Act for appointment of an independent Sole Arbitrator by this Court. He also submitted that a notice invoking the aforesaid arbitration clause was issued to the respondent under Section 21 of the Act vide Annexure P-6 dated 13.09.2025, but no response was received from the respondent in this regard. He further submitted that repeated mediation attempts were undertaken, but the same have failed.

3. On the other hand, Mr. Guneet Sidhu and Mr. Dhruv Trehan, learned counsels for the respondent have submitted that they have sought instructions from the respondent to state that since the mediation talks have failed, this Court may appoint any independent Sole Arbitrator to adjudicate the dispute between the parties because there is no dispute with regard to the existence of the aforesaid agreement, which contains a valid arbitration clause i.e. Clause 23 vide Annexure P-1 and the same has been invoked by the applicant vide the aforesaid notice dated 13.09.2025.

4. In view of aforesaid facts and circumstance and the specific stand taken by learned counsels for the respondent, the present application is allowed. Mr. Justice Arvind Kumar, a former Judge of this Court, resident of Penthouse 1303-1304, Tower-B, Green Lotus Avenue, Zirakpur-140603, Mobile No.9888807564, Email ID. Goelarvind28@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. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed and communicated by the learned Arbitrator



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at his convenience.

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

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

8. A request letter alongwith a copy of the order be sent to Mr. Justice Arvind Kumar, a former Judge of this Court.

16.04.2026

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**(JASGURPREET SINGH PURI)
JUDGE**

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