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

**ARB-743-2025**

**Date of decision: 15.05.2026**

**M/S AMITECH DEVELOPERS INDIA PVT LTD**

**...Applicant(s)**

**VERSUS**

**M/S K.S. PROPMART PVT LTD**

**...Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present:- Mr. Anurag Kaushik, Advocate  
for the applicant.  
(Through Video Conferencing)

Mr. Deepak Gupta, Advocate and  
Mr. Hritik Chaudhary, Advocate  
for the respondent.

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**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, who has joined the proceedings through video conferencing, submitted that as per Clause 35 of the agreement, in the event of any dispute arising between the parties, the same will be referred to two Arbitrators to be nominated by each of the dissenting parties and the decision of the Arbitrators shall be final and binding on the concerned parties and the proceeding shall be governed by the Arbitration and Conciliation Act,



1996. He further submitted that since there cannot be an even number of Arbitrators, any independent Sole Arbitrator may be appointed in view of Section 10 of the Act. He also submitted that a dispute arose between the parties and the applicant invoked the aforesaid arbitration clause by issuing a notice dated 20.10.2023 (Annexure P-13) but no response was received from the respondents and therefore, the present application has been filed seeking appointment of an independent Arbitrator.

3. On the other hand, learned counsel for 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 arbitration clause in the agreement and it is also not disputed that the applicant invoked the arbitration clause by issuing a notice vide Annexure P-13.

4. In view of the above, the present application is allowed. Mr. Justice B. S. Walia, a former Judge of this Court, resident of #1143, Sector 8-C, Chandigarh, mobile No.-9814006691, e-mail ID-waliabs@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 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 B. S. Walia, a former Judge of this Court.

15.05.2026  
Chetan Thakur

(JASGURPREET SINGH PURI)  
JUDGE

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