

ARB-73-2023 (O & M)

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

220

ARB-73-2023 (O & M)

Date of decision:09.02.2024

DEEPALI DESIGNS AND EXHIBITS PVT. LTD.

... PETITIONER

VS.

PUNJAB STATE COOPERATIVE SUPPLY AND MARKETING
FEDERATION LTD.

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Ms. Shaveta Sanghi, Advocate and
Mr. Abhishek Gupta, Advocate
for the petitioner.

Mr. Sanjeev Kaushik, Advocate and
Mr. Divyansh Kaushik, Advocate
for the respondent.

SUVIR SEHGAL J. (ORAL)

1. By way of present petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short "the Act"), petitioner has approached this Court for appointment of an Arbitrator to adjudicate the disputes and differences, which have arisen between the parties.

2. Counsel for the parties are *ad idem* that a dispute exists between the parties and an Arbitrator may be appointed in terms of Clause 14 of the agreement dated 18.10.2019, Annexure P-2.

3. A joint statement has also been made by the parties that although the arbitration clause provides for an Arbitral Tribunal consisting of three members, but a sole Arbitrator may be appointed to adjudicate the disputes.

4. Accordingly, petition is allowed. Mr. Justice Vijay K. Jhanji (Retd.), #1150, Sector 15, Chandigarh, Mobile No.9810380917, is appointed as the sole Arbitrator to adjudicate the dispute between the parties, subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to adjudicate the dispute between the parties.

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

6. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

7. The arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the Act.

8. It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement.

9. Copy of the order be sent to the learned arbitrator.

09.02.2024

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(SUVIR SEHGAL)

JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No