

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Arbitration Case No. 237 of 2018 (O&M)

DATE OF DECISION: 24.08.2018

M/s Technofab Equipment Industries

.... Applicant

versus

Union of India and others

..... Respondents

CORAM: - HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE

Present: Mr. Y.R. Mangla, Advocate with  
Mr. Deepak Aggarwal, Advocate and  
Mr. Nipun Gupta, Advocate for the applicant

..

KRISHNA MURARI, CHIEF JUSTICE (Oral):

The prayer made in this application is that instead of named arbitrator in the contract between the parties, who happens to be an employee of the respondent, an independent arbitrator be appointed.

Admittedly, the applicant agreed for appointment of the named arbitrator by signing the agreement and, thus, it does not lie in his mouth to say that instead of the arbitrator named in the agreement between the parties an independent arbitrator be appointed. The relief being claimed in the application is beyond the terms of the agreement between the parties, hence, is not liable to be allowed and application accordingly stands dismissed.

24.08.2018  
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(KRISHNA MURARI)  
CHIEF JUSTICE

NOTE:

Whether speaking/non-speaking: Speaking  
Whether reportable: YES/NO