

Arbitration Case No. 85 of 2020

[1]

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

Arbitration Case No. 85 of 2020

Date of decision: 11th January, 2023

Tenon Facility Management India Pvt. Ltd.

Petitioner

Versus

Instaone Infotech Pvt. Ltd.

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. A. S. Nirmaan, Advocate for the petitioner.

AVNEESH JHINGAN, J (Oral):

This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, 'the Act') for appointment of an arbitrator for adjudication of disputes between the parties.

The petitioner and the respondent entered into contract on 12.4.2019 for providing service facilities. Clause 12 thereof provides for dispute resolution through arbitration.

Notice dated 7.3.2020 was issued by the petitioner for invoking arbitration. Thereafter the present petition has been filed.

None appeared for the respondent despite service. It was proceeded against ex-parte vide order dated 20.5.2022.

As per arbitration clause, the settlement of dispute is subject to jurisdiction at Gurgaon. The petition is accordingly disposed of by appointing Dr. Shiva Sharma, District & Sessions Judge (Retd.), H. No. 195 Sector 56 (HUDA) Gurugram as the sole arbitrator. The arbitrator is appointed subject to declaration to be made by her under Section 12 of the Act with regard to her independence and impartiality to settle the dispute

between the parties.

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

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

It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement including the condition of pre-deposit.

Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

11th January, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |