

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 15 of 2019

Date of decision: 30th May, 2023

Axalta Coating Systems Pvt. Ltd.

Petitioner

v.

Raj Motors

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Aman Bansal, Advocate for the petitioner.
Mr. S. S. Brar, Advocate for the respondent.

AVNEESH JHINGAN, J (Oral):

1. 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.

2. There was a supply agreement between the parties. Clause 12.3 of the general terms and conditions provides for dispute resolution through arbitration. The clause also provided that the proceedings shall be held at Gurgaon.

3. The petitioner served notice dated 27.9.2017. On failure to do the needful, the present petition was filed.

The matter was referred to Mediation and Conciliation Centre of this Court. As per report of the Mediator, the matter could not be settled.

4. Learned counsel for the parties agree to the appointment of Mr. Harshit Aggarwal, Advocate, Gurgaon as sole arbitrator.

5. The petition is accordingly disposed of by appointing Mr. Harshit Aggarwal, Advocate, J-1291C, Palam Vihar, Gurgaon as the sole arbitrator. The arbitrator is appointed subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to settle the dispute between the parties.

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 29A 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 appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

30th May, 2023

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