

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Arbitration Case No. 69 of 2014
Date of Decision: 11.07.2014

M/s Ankit Construction Company

..Petitioner

versus

HUDA and others

..Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KISHAN KAUL, CHIEF JUSTICE.

Present : Mr. Pritam Saini, Advocate, for the petitioner.

Mr. Jitender Nagpal, Advocate, for the respondents.

SANJAY KISHAN KAUL C.J. (Oral)

Learned counsel for the respondents points out that the notice invoking the arbitration clause is dated 24.03.2014 which was received by the respondents on 05.04.2014. Thus, the time period of 30 days for the Designated Authority to appoint the Arbitrator expired only on 05.05.2014. The Arbitrator was appointed on 07.05.2014 two days thereafter. What is material, however, is that the present petition was filed on 07.04.2014 much prior to the time period of 30 days elapsed and thus it would be pre-mature.

Agreeing with the aforesaid submission of learned counsel for the respondents, the Arbitrator having been appointed and present petition being pre-mature, taking into consideration the notice of appointment of Arbitrator, the same is disposed of.

In the end, I may add that on an objection of the petitioner to the appointment of that Arbitrator, the second Arbitrator has been appointed on 29.05.2014.

11.07.2014
'ravinder'

(SANJAY KISHAN KAUL)
CHIEF JUSTICE