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

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Date of Decision: 18.09.2024

M/s Dutt Freight Carriers

...Applicant

Versus

The Indian Oil Corporation Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Ramesh Sharma, Advocate for the applicant

Mr. Ashish Kapoor, Advocate and
Mr. M.S. Rana, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short '1996 Act'), the applicant is seeking appointment of an Arbitrator.
2. Reply filed on behalf of the respondents is taken on record. Registry is directed to tag the same at an appropriate place.
3. Pursuant to a tender, the applicant being a successful bidder, was allotted work by the respondent. Thereafter, an agreement (Annexure A-1) was executed between the parties and letter of intent was issued vide letter dated 20.02.2018 (Annexure A-2). A dispute erupted between the parties. There is an arbitration clause in the agreement. The allotment of work, arbitration clause in the agreement and service of notice under Section 21 of 1996 Act is not disputed.



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4. Conditions to invoke power conferred by Section 11(6) of 1996 Act stand satisfied, thus, I hereby appoint a sole Arbitrator to adjudicate the dispute between the parties.

5. Mr. Justice Darshan Singh, Retired Judge of this Court, residing at House No. 56, Sector 16-A, Chandigarh, Mobile No.8558809940 is hereby appointed as a Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory requirements. The learned Arbitrator is requested to comply with mandate of Section 12 of 1996 Act before proceeding further.

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

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

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

9. Needless to mention, parties would be at liberty to raise all the claims/defences/counter claims/pleas before the Arbitrator. Any observation made hereinabove will not be binding on the learned Arbitrator.

10. A request letter along with copy of this order be sent to Mr. Justice Darshan Singh.

(JAGMOHAN BANSAL)
JUDGE

18.09.2024

Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No