



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

284

ARB-22-2025

Date of decision: 14.05.2025

M/S ESCORTS KUBOTA LTD.

...APPLICANT

Vs.

M/S VIJAYA MARUTHI ENTERPRISES AND OTHERS

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Ms. Geeta Gulati, Advocate
for the applicant.

Mr. Abhinay Goel, Advocate (through V.C.)
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. The parties entered into arbitration agreement dated 27.04.2021. A dispute erupted between the parties. The applicant served notice upon respondent seeking resolution of dispute through arbitral tribunal but to no avail.
3. Mr. Abhinay Goel, Advocate, counsel for the respondents expressed his inability to controvert execution of arbitration agreement and service of notice.
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.

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5. Mr. Rajesh Garg, Additional District & Sessions Judge (Retd.), residing at House No.626, Sector 16-A, Faridabad, Mobile No. 8558873008 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. The parties at the first instance will appear before the Arbitrator on 29.05.2025 at 10.00 A.M. and thereafter as directed by learned Arbitrator.

7. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.

8. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 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. Rajesh Garg.

14.05.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

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