

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

Sr. No.218

ARB-221-2018

Date of decision: 20.02.2020

Kissan Rice Land Pvt. Ltd.

....Applicant

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Vivek Goyal, Advocate
for the applicant.

Mr. Sandeep Singh Mann, Sr. D.A.G., Haryana.

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DEEPAK SIBAL, J. (Oral)

The present application has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short – the Act) for appointment of an Arbitrator.

On 30.09.2017, an agreement was entered into between the parties as per which the applicant was required to mill paddy for the respondents. Admittedly, as per clause 25, the disputes between the parties were to be settled through the mode of Arbitration.

Disputes having arisen between the parties, through notice dated 20.05.2018, the applicant invoked the arbitration clause and required the respondents to appoint an Arbitrator. When within 30 days of the receipt of such notice no Arbitrator was appointed by the respondents, the present application has been filed for the aforesaid relief.

After hearing learned counsel for the parties and leaving them to raise their claims/defences/counter claims before the Arbitrator, which they may have in law, Justice S.P. Bangarh, a former Judge of this Court, is

appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Justice S.P. Bangarh under Section 12 of the Act with regard to his independence and impartiality to settle the disputes between the parties.

The Arbitrator is requested to complete the proceedings within the time limit specified under Section 29A of the Act.

The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended or as may be mutually settled by the parties and the Arbitrator.

As per agreement expressed by learned counsel for the parties, for the sake of the convenience of their respective clients as also of the Arbitrator, the venue of the Arbitration shall be at Chandigarh Arbitration Centre, Chandigarh or at any other place convenient to all concerned.

A copy of the order be forwarded to Justice S.P. Bangarh (Retd.) at the given address:

H.No.169,
Urban Estate,
Phagwara
(98157-23402).

After seeking the convenience of the Arbitrator, the parties are directed to appear before him on 02.03.2020 or on any other date suitable to all concerned.

The matter is disposed of in the above terms.

February 20, 2020
Jyoti 1

Whether speaking/reasoned
Whether reportable

(DEEPAK SIBAL)
JUDGE
Yes/No
Yes/No