

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

ARB-100-2016 (O&M)

Date of decision:- 09.02.2018

Champa Devi and others

...Petitioners

Versus

Swaran Salaria and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE**

Present:- Mr. Munish Jolly, Advocate,  
for the petitioners.

None for the respondents.

\* \* \* \*

**S.J. VAZIFDAR, C.J. (ORAL)**

This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 for the appointment of an arbitrator.

2. The parties had entered into a contract clause 15 whereof contains an arbitration agreement which reads as under:-

*"15. That in the event of any dispute between the parties hereto the same shall be referred to two arbitrators, one appointed by each party whose decision shall be final and binding on both the parties."*

3. Although clause 15 itself does not refer to the appointment of a presiding arbitrator, the same must be read into the clause.

4. The petitioners by their letter dated 30.05.2015 referred to the disputes and differences that had arisen between the parties, nominated an arbitrator and called upon

the respondents to appoint their arbitrator. The respondents have failed and neglected to respond to the same.

5. In these circumstances, the petition is disposed of by appointing Mr. Justice S.S. Saron, a former Judge of this Court, as the arbitrator on behalf of the respondents. The arbitrators shall appoint a presiding arbitrator and proceed with the reference.

**(S.J. VAZIFDAR)**  
**CHIEF JUSTICE**

**09.02.2018**

**Amodh**

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|---------------------------|---------|
| Whether speaking/reasoned | √Yes/No |
| Whether reportable        | Yes/No√ |