IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

ARB-206-2017 (O&M)
Date of decision:- 31.05.2019

Trident Limited ...Applicant

Versus

Almac Laser Pvt. Ltd. ...Respondents

CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE

Present:- Mr. Puneet Bali, Sr. Advocate with
Mr. Shekhar Verma, Advocate
Mr. Vibhav Jain, Advocate,
Mr. Harveet Singh Sehgal, Advocate, for the applicant.

Mr. Aashish Chopra, Advocate with
Ms. Rupa Pathania, Advocate, for the respondents.

* * * *

KRISHNA MURARI, C.J. (ORAL)

This is an application under Section 11 (6) of the Arbitration and Conciliation Act, 1996 for the appointment of an arbitrator.

2. Clause 10 of the agreement contains an arbitration clause which reads as under:-

> *"Any dispute, controversy or claim arising out of or relating to this agreement or the breach, termination or invalidity thereof shall be referred to arbitration and be governed as per the Arbitration and Conciliation Act, 1996. Accordingly, each party shall nominate one arbitrator each and the two arbitrators in turn shall nominate the third arbitrator, who shall chair the proceedings. The place of arbitration shall be in India and language of proceedings shall be English."*

3. However, learned counsel for both the parties have agreed before me that though the agreement provides for nomination of an Arbitral Tribunal but the parties have reached a consensus for reference of the matter to a sole arbitrator.

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4. In view of the aforesaid, I accordingly appoint Mr. Justice Mukul Mudgal, a retired Chief Justice of this Court, as sole arbitrator to adjudicate upon the disputes and differences between the parties. The fees shall be as may be settled by the parties with the learned arbitrator.

5. The application stands disposed of.

(KRISHNA MURARI)
CHIEF JUSTICE

31.05.2019
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No

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