



ARB-82-2025 (O&amp;M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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ARB-82-2025 (O&amp;M)

Date of Decision: 24.09.2025

Yashbir Singh and another

...Applicants

Versus

Tower Vision India Private Limited

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Devender Mor, Advocate for the applicants  
(*through video conferencing*)

None for the respondent

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JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11 of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicants are seeking appointment of an Arbitrator.

2. On 01.05.2025, Ms. Deep Shikha Arora, Advocate appeared on behalf of the respondent and sought some time to address the arguments. There was no representation on behalf of the respondent on 21.07.2025 as well as 25.08.2025. Even today, there is no change in the situation. It appears that respondent has opted to abstain from joining the proceedings before this Court. The matter cannot be kept pending for an indefinite period especially when the prayer in the application is confined to appointment of an Arbitrator who ultimately would adjudicate rights and liabilities of the parties. Thus, this Court is left with no other option except to adjudicate the case on the basis of available record.

3. The parties executed License Deed dated 30.09.2011. A dispute erupted between the parties. The applicants served notice upon the



respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

4. The applicants filed ARB.P.527/2024 before Delhi High Court which was withdrawn with liberty to approach jurisdictional High Court in terms of Clause 10(c) of License Deed dated 30.09.2011. The applicant filed civil suit for recovery of arrears. The said suit was dismissed on the ground of alternative remedy of arbitration. Application filed by the respondent under Section 8 of 1996 Act was allowed. The applicant filed petition under Section 9 of 1996 Act before Commercial Court, Delhi. The said petition was dismissed vide order dated 18.09.2024 on the ground of jurisdiction

5. 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.

6. Mr. Om Prakash Saini, District & Sessions Judge-cum-Special Judge (CBI)(Retd.) residing at House No. 498, Sector 23, Gurugram-122017, Mobile No. 9717196857 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.

7. The parties at the first instance will appear before the Arbitrator on 10.10.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

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

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

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10. 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.

11. A request letter along with copy of this order be sent to Mr. Om Prakash Saini.

12. Pending application(s), if any, shall stand disposed of.

**(JAGMOHAN BANSAL)**  
**JUDGE**

**24.09.2025***Mohit Kumar*

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