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

**ARB No.26 of 2020 (O&M)
Date of Decision: 14.11.2022**

M/S ZAMIL AIR CONDITIONERS INDIA PVT. LTD.

.....Petitioner

Vs

PARAS BUILDTECH INDIA PVT. LTD.

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Mrinal Beri, Advocate
for the petitioner.

Mr. Jagdeep S. Rana, Advocate
for the respondent.

RAJ MOHAN SINGH, J.(Oral)

[1]. The petitioner has preferred the present petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter to be referred as 'the Act') for appointment of an independent Arbitrator to adjudicate the dispute between the parties.

[2]. The Petitioner has already invoked the arbitration clause and tentatively valued its claim to the tune of Rs.52,13,338.74 subject to final adjudication by the Arbitrator.

[3]. Learned counsel for the respondent submits that the

respondent is also willing to set up a counter-claim of more than Rs.1 crore.

[4]. During course of arguments, learned counsel for both the parties have reached at a consensus that an independent Arbitrator can be appointed for adjudication of the claim and counter claim of the parties.

[5]. In view of consensus arrived at between the parties, I hereby appoint HMJ Rakesh Kumar Garg (Retd.) R/o H.No.417, Sector 35-A, Chandigarh, Mobile No.09780008133 the sole Arbitrator, to resolve the dispute/difference between the parties. The appointment of the Arbitrator shall be subject to the declaration to be made by him as required under Section 12 of Arbitration and Conciliation Act, 1996 in respect of his independence and impartiality to settle the dispute between the parties.

[6]. The Arbitrator would complete the proceedings within the specified time in terms of Section 29-A of the said Act. The Arbitrator shall be paid fee in accordance with the IVth Schedule of the Act as amended from time to time. The fee shall be borne by both the parties equally.

[7]. The venue of the Arbitration shall be the place to be disclosed by the Arbitrator according to his convenience.

[8]. A copy of this order be dispatched to the Arbitrator at the following address:-

HMJ Rakesh Kumar Garg (Retd.)

R/o H.No.417, Sector 35-A, Chandigarh,

Mobile No.09780008133

[9]. Petition stands disposed of accordingly.

November 14, 2022

Atik

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No