

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

111

CM-8033-CII-2023 in/and

[ARB-53-2020](#)

Date of Decision:30.01.2024

UMESH KUMAR

... Petitioner

Vs

PUNJAB STATE POWER CORPORATION
LIMITED AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Dheeraj Mahajan, Advocate
for the applicant-petitioner.

SUVIR SEHGAL, J.(ORAL)

Prayer in the application filed under Section 151 CPC read with Section 11(6) and 15 of Arbitration and Conciliation Act, 1996 (for short 'the Act') is for substitution of an Arbitrator appointed by this Court.

2. Counsel for the applicant-petitioner submits that by order dated 13.02.2023, this Court appointed an Arbitrator to resolve the dispute between the parties subject to his complying with the mandatory provisions of the Act. Counsel submits that the appointed Arbitrator expressed his inability to conduct the proceedings and therefore, applicant-petitioner has moved the present application.

3. Upon notice, Ms. Komal Sharma, Advocate with Mr. Jagdeep Singh, Advocate, have put in appearance on behalf of the

respondents. Counsel representing the respondents submits that they do not have any objection to the prayer made in the application.

4. Accordingly, the application is allowed.

5. Mr. Sanjeev Kaushik, Former Member, Central Administrative Tribunal, Kothi No.1033, Sector 12-A, Panchkula, (Mobile No.94172-33385) is appointed as a substitute Arbitrator subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to adjudicate the dispute between the parties.

6. Parties are directed to appear before the Arbitrator on 27.02.2024 at 11:00 am at the address mentioned above or at any other place to be fixed by the Arbitrator.

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

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

9. Needless to mention, respondents will be at liberty to raise all the pleas before the Arbitrator.

10. Copy of the order be sent to the appointed Arbitrator.

30.01.2024
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No