

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

275

ARB-18-2024

Date of Decision: 07.08.2024

M/s Proactive In and Out Advertising Pvt. Ltd.

...Applicant

Versus

Pepsu Road Transport Corporation

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Ms. Ateevraj Sandju, Advocate for
Mr. Sidakmeet Sandhu, Advocate for the applicant

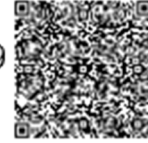
Mr. Ishan Gupta, Advocate for the respondent

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicant is seeking appointment of an Arbitrator.

2. The parties entered into an agreement dated 12.06.2017 which was extended by agreement dated 24.09.2020. There is an arbitration clause i.e. Clause 33 in the aforesaid agreement. The parties are neither disputing existence of agreement nor arbitration clause.

3. The applicant, in terms of Section 21 of 1996 Act, served notice dated 30.11.2023 (Annexure P-17) upon the respondent. The respondent vide



reply dated 29.12.2023 (Annexure P-18) replied to the aforesaid notice denying the appointment of Arbitrator.

4. 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.

5. Mr. Justice (Retd.) K.S. Garewal, residing at House No.1065/1, Sector 39-B, Chandigarh- 160036, Mobile No.9876002909 is requested to act an 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.

6. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.

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, parties will 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.

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10. A request letter along with copy of this order be sent to Mr. Justice (Retd.) K.S. Garewal.

(JAGMOHAN BANSAL)
JUDGE

07.08.2024*Mohit Kumar*

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