

ARB-296-2023

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

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ARB-296-2023

Date of decision:19.04.2024

M/S TRIDENT LIMITED

...PETITIONER

VS.

GOMTESH GINNING AND PRESSING PRIVATE LIMITED

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Sunil Chadha, Senior Advocate with
Ms. Kashish Aggarwal, Advocate
for the petitioner.

Mr. Himmat Singh, Advocate
for the respondent.

SUVIR SEHGAL J. (ORAL)

1. Instant petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, for appointment of an independent Arbitrator in terms of condition No.13 of purchase orders dated 23.12.2021, 24.12.2021, 07.01.2022, 13.01.2022 and 08.02.2022, Annexure P-1, to adjudicate the dispute, which have arisen between the parties.

2. Upon notice, respondent has put in appearance through Sh. Himmat Singh, Advocate, who submits that he does not have any objection, in case, the prayer made in the petition is acceded to.

3. A joint statement has been made by counsel for the parties that although the arbitration clause provides for the appointment of Arbitrator at Barnala, but they do not have any objection, in case, an Arbitrator, who is based in the tricity is appointed as an Arbitrator.

4. Accordingly, petition is allowed. Mr. Justice Rajiv Narain Raina, a former judge of this Court, H.No.E/8-03 (GF), DLF-The Valley (Near Amravati Enclave), Pinjore-Kalka Urban Complex, Sector-3, Panchkula, is requested to act as a sole Arbitrator to adjudicate the dispute between the parties.

5. Parties are directed to appear before the learned Arbitrator on a day, time and place to be communicated by him.

6. Liberty is granted to the parties to raise all claims, counter claims, defences, pleas etc. before the Arbitrator.

7. A request letter alongwith a copy of this order be sent to Mr. Justice Rajiv Narain Raina (Retd.).

19.04.2024

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**(SUVIR SEHGAL)
JUDGE**

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