

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 214

ARB-76-2019

Date of decision : 20.01.2020

M/s Competent Constructions

..... Petitioner

VERSUS

Astrum Value Homes Pvt. Ltd.

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Nikhil Handu, Advocate, for the petitioner.

Mr.Shobit Phutela, Advocate, for the respondent.

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DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short, the Act) for appointment of an Arbitrator in a domestic commercial dispute.

Admittedly, the parties entered into an agreement with regard to Construction and Development of Group Housing Society "La Regencia" at Sector 19, Panipat, Haryana. It is further not denied that as per clause 9.03 of such agreement in case of any dispute between the parties arising out of the agreement the same was to be settled through the mode of arbitration.

On disputes having arisen between the parties, in terms of the aforesaid clause 9.03 of the agreement, the petitioner sent a notice to the respondent seeking settlement of the disputes through arbitration and asking the respondent to appoint an Arbitrator. The respondent did not respond to the above notice occasioning the filing of the present petition.

After hearing learned counsel for the parties, for adjudicating upon the disputes between the parties arising out of the aforesaid agreement, Justice S.S. Saron (Retd.), is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Justice Saron under Section 12 of the Act with regard to his independence and impartiality to settle the disputes

between the parties.

The Arbitrator is requested to complete the proceedings within the time limit specified under Section 29A of the Act.

The Arbitrator shall be paid fee in accordance with Fourth Schedule of the Act, as amended or as may be mutually settled by the parties and the Arbitrator.

As per agreement expressed by learned counsel for the parties, for the sake of the convenience of their respective clients as also of the Arbitrator, the venue of the Arbitration shall be at Chandigarh.

A copy of the this order be forwarded to Justice S.S.Saron (Retd.) at the given address:-

H.No.9,  
Sector-9A,  
Chandigarh.

After seeking the convenience of the Arbitrator, the parties are directed to appear before the Arbitrator on 31.01.2020 or any other date suitable to all concerned.

The matter is disposed of in the above terms.

20.01.2020  
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[ DEEPAK SIBAL ]  
JUDGE

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