

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 596 of 2021

Date of decision: 3rd May, 2023

M/s P. D. Steels

Petitioner

Versus

Rail Coach Factory Kapurthala and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sachin Rai Vaid, Advocate for the petitioner.
Mr. Karminder Singh, Advocate for the respondents.

AVNEESH JHINGAN, J (Oral):

1. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, 'the Act') for appointment of an arbitrator for adjudication of disputes between the parties.
2. The petitioner was allotted work for manufacturing and supplying 376 units of Retention tanks. Clause 2900 of the general terms and conditions provides for dispute resolution through arbitration.
3. Notice dated 22.10.2020 was issued by the petitioner invoking arbitration. On failure to do the needful, the present petition has been filed.
4. Learned counsel for the parties on instructions from the clients agree to the appointment of Mr. A. S. Narang, District & Sessions Judge (Retd.), as sole arbitrator.
5. The petition is accordingly disposed of by appointing Mr. A. S. Narang, District & Sessions Judge (Retd.), 453, Mota Singh Nagar, Jalandhar as the sole arbitrator. The arbitrator is appointed subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to settle the dispute between the parties.

6. The arbitrator would be free to decide the venue with the consent of the parties.
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 29A of the Act.
9. It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement.
10. Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

3rd May, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |