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

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Date of Decision: 28.01.2025

M/s Curation Tech Private Limited

...Applicant

Versus

M/s Pragati Infra Solutions Private Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Nikhil Saraf, Advocate for the applicant

Mr. Manish Jain, Advocate and
Mr. Siddhant Jain, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11 of the Arbitration and Conciliation Act, 1996 (for short '1996 Act'), the applicant is seeking appointment of an Arbitrator.
2. The applicant was issued work order dated 14.02.2019 (Annexure P-1) by the respondent. A dispute erupted between the parties. There is an arbitration clause in aforesaid work order. The issuance of work order, arbitration clause therein and service of notice under Section 21 of 1996 Act is not disputed.
3. Learned counsel for the respondent expressed his inability to controvert existence of arbitration clause in the work order. He leaves it to this Court to make appointment of an independent Arbitrator.



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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. Ms. Justice Jaishree Thakur, Former Judge of this Court, residing at House No. 36, Sector 8-A, Chandigarh, Mobile No.9814125236 is hereby appointed as a Sole 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 her convenience.

7. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.

8. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

9. Needless to mention, parties would 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.

10. A request letter along with copy of this order be sent to Ms. Justice Jaishree Thakur.

(JAGMOHAN BANSAL)
JUDGE

28.01.2025

Mohit Kumar

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