

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 216

ARB-29-2018

Date of decision : 24.02.2020

Tarun Kumar

..... Applicant

VERSUS

Haryana Tourism Corporation Ltd.
and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Vivek Khatri, Advocate, for the applicant.

Mr.Deepak Manchanda, Advocate, for the respondents.

DEEPAK SIBAL, J. (ORAL)

The present application has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, the Act) for appointment of an Arbitrator.

Admittedly, as per contract dated 07.04.2003, the respondents allotted to the applicant the work for setting up of an Environmental Park, Public Toilet and Fast Food at Mini Lake, Ottu in District Sirsa and that as per clause 25-A of the conditions of the contract disputes between the parties were to be resolved through the mode of arbitration.

Disputes having arisen between the parties, through legal notice dated 12.09.2017, the applicant invoked the arbitration clause and required the respondents to appoint an Arbitrator but when within thirty days of receipt of the notice no arbitrator was appointed by the respondents, the present application was filed for the aforesaid relief.

After hearing learned counsel for the parties and with their consent, Mr.Jagroop Singh, District & Sessions Judge (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Mr.Jagroop Singh under Section 12 of the Act with regard to his

independence and impartiality to settle the dispute 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 the 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 Mr.Jagroop Singh, District & Sessions Judge (Retd.) at the given address:-

114, Sector 21-A,
Chandigarh.

After seeking the convenience of the Arbitrator, the parties are directed to appear before him on 04.03.2020 or on any other date suitable to all concerned.

The matter is disposed of in the above terms.

24.02.2020
shamsher

[DEEPAK SIBAL]
JUDGE

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