

IN THE HIGH COURT OF PUNJAB AND HARYANA ATCHANDIGARH

ARB-493-2021 (O&M)

Date of Decision: February 23, 2022

M/s. Getinge Medical India Pvt. Ltd. Petitioner(s)

Versus

Punjab Health Systems Corporation Respondent(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Krishna Chandra Dubey, Advocate
for the petitioner.

Mr. PIP Singh, Advocate
for the respondent.

LISA GILL, J. (Oral)

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Reply filed on behalf of the respondent today in Court, is taken on record, subject to just exceptions.

Prayer in this petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short – ‘the Act’) is for appointment of sole independent Arbitrator for resolution of disputes and differences arising out of Agreement dated 04.12.2015, Annexure P-1, executed between the parties.

Dispute arose between the parties and notice dated 23.06.2020 (Annexure P-6) was served upon the respondent by the petitioner. Claim was repudiated by the respondent.

Clause 18 of the agreement provides for resolution of the dispute through arbitration. Existence of an arbitrable dispute between the parties is not denied by learned counsel for the respondent, neither is the existence of the arbitration clause denied. Learned counsel for the respondent submits that respondent has no objection to this petition being allowed by this Court.

Keeping in view the facts and circumstances as above, this petition is allowed and Sh. Ashok Kumar Singla, District & Sessions Judge (Retd.), resident of House No. 486, Punjab IAS, PCS Colony, Mullanpur, New Chandigarh, 140901, Mobile No. 9417376110, is appointed as the Sole Arbitrator to resolve the dispute/differences between the parties. Appointment is subject to declaration to be made by the Arbitrator under Section 12 of the Act with regard to his independence and impartiality to settle the disputes between the parties arising out of agreement dated 04.12.2015. The Arbitrator to complete the proceedings within the time limit specified under Section 29-A of the Act. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended from time to time to be borne equally by the parties.

A copy of this order be dispatched to Sh. Ashok Kumar Singla, District & Sessions Judge (Retd.), at the following address:-

House No. 486, Punjab IAS, PCS Colony, Mullanpur, New Chandigarh, 140901, Mobile No. 9417376110.

23.02.2022

Sunil

**(LISA GILL)
JUDGE**

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