

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

248

ARB-40-2023 (O & M)

Date of decision:04.03.2024

SONIKA RASTOGI AND ANR

... PETITIONERS

VS.

ALM INFOTECH CITY PVT LTD

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Saurabh Garg, Advocate for the petitioners.

Ms. Manju Goyal, Advocate for the respondent.

SUVIR SEHGAL J. (ORAL)

1. By way of present petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short "the Act"), petitioners have sought appointment of an Arbitrator to adjudicate the disputes between the parties.

2. Counsel for the petitioners submits that a lease deed dated 10.10.2017, Annexure P-1, was entered into, whereby commercial property was leased out to the respondent. He submits that a dispute has arisen between the parties as the respondent has failed to pay the lease charges and after serving a demand notice, petitioners served a legal notice, Annexure P-3, invoking arbitration clause No.25. He submits that respondent did not submit any response.

3. Upon notice, respondent has appeared through a counsel. This Court had referred the parties to the Mediation and Conciliation Centre of this Court, but the parties could not arrived at a settlement.

4. Counsel for the respondent states that she does not have any objection, in case, an Arbitrator is appointed.
5. In view of the above, petition is allowed. Sh. Arun Kumar Singal, District & Sessions Judge (Retd.), C/o Sh. M.R. Singhal, A-61, Second Floor, Palladians, Near Baani Square, Sector 47, Gurugram, Mobile No.9991743666, is appointed as the sole Arbitrator to adjudicate the dispute between the parties, subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to adjudicate the dispute between the parties.
6. Parties are directed to appear before the learned Arbitrator on 03.04.2024 or on any day, time and place to be fixed and communicated by the learned Arbitrator at his convenience.
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 29-A of the Act.
9. Copy of the order be sent to the learned arbitrator.
10. Liberty is given to the parties to make a request to the Arbitrator for conducting the proceedings through the medium of video conferencing.
11. Pending application(s), if any, shall stand disposed of.

04.03.2024

*sheetal***(SUVIR SEHGAL)
JUDGE**

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No