

2023:PHHC:076100

Arbitration Case No. 223 of 2022

[1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 223 of 2022

Date of decision: 25th May, 2023

Isosceles Sales & Services Pvt. Ltd.

Petitioner

Versus

SkipperSeil Ltd.

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Balvinder Sangwan, Advocate for the petitioner.
Mr. M. K. Garg, Advocate for the respondent.

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 testing and commissioning of electrical equipment. Clause 6 of the general terms and conditions provides for dispute resolution through arbitration. It also provides that the court of jurisdiction will be Haryana.
3. The petitioner served notice dated 4.2.2022. On failure to do the needful, the present petition was filed.
4. Learned counsel for the respondent submits that for three work orders, instead of three petitions, a consolidated petition has been filed.
5. Learned counsel for the petitioner in order to avoid complication, restricts his prayer for appointment of an arbitrator vis-a-vis purchase order (Annexure P-2) and seeks liberty to file separate petitions for other purchase orders.
6. Learned counsel for the parties agree for the appointment of Mr. Alok Mittal, Advocate as sole arbitrator. They also agree that arbitration proceedings shall be held at Chandigarh.

7. The petition is accordingly disposed of by appointing Mr. Alok Mittal, Advocate, H. No. 26, Sector 4, Chandigarh as the sole arbitrator vis-a-vis purchase order (Annexure P-2). 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.

8. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

9. The arbitrator is requested to complete the proceedings as per time limit specified under Section 29A of the Act.

10. It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement.

11. Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

25th May, 2023

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1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No