



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

297

ARB-447-2024**Date of decision: 18.02.2025****AIRPLAZA RETAIL HOLDINGS PVT. LTD.****....APPLICANT****Vs.****M/S ADIKARAH INDUSTRIES PVT LTD AND ANR. ...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Ashim Aggarwal, Advocate and
Mr. Gautam Goyal, Advocate
for the applicant.

Mr. Narinder S. Lucky, Advocate
for the respondents.

JAGMOHAN BANSAL, J (ORAL)

1. Through instant application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short '1996 Act'), the applicant is seeking appointment of an Arbitrator.
2. The parties entered into agreement dated 29.11.2020 (Annexure P-1). A dispute erupted between the parties. There is an arbitration clause in the aforesaid agreement. The execution of agreement, arbitration clause in the agreement and service of notice under Section 21 of 1996 Act is not disputed.
3. Counsel for the respondents submits that Courts at Bareilly have jurisdiction to entertain dispute between the parties.
4. On being pointed out Arbitration Agreement where it is specifically provided that venue and seat of arbitration shall be at Gurugram, Mr. Narinder S. Lucky, Advocate expressed his inability to dispute jurisdiction of this Court to entertain application under Section 11(6) of the Arbitration and Conciliation Act, 1996.

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5. 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.

6. Mr. Justice Sudhir Kumar Katriar, Former Judge of Patna High Court, residing at Flat No. 101, 4th Floor, Tower No. 12, Supreme Enclave, Mayur Vihar, Phase-1, Delhi-110091 Mobile No.85279-37916 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.

7. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the Arbitrator at his convenience.

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 29-A of the 1996 Act.

10. 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.

11. A request letter along with copy of this order be sent to Mr. Justice Sudhir Kumar Katriar.

18.02.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

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