



ARB-469-2023

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

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ARB-469-2023

Date of Decision: 31.07.2024

Skipperseil Limited

...Applicant

Versus

Reliance Elektrik Works

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Dheeraj Gupta, Advocate and
Mr. Munish Kumar Garg, Advocate for the applicant
Mr. Jagdeep Singh Rana, Advocate for respondent

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 respondent issued to applicant purchase order dated 11.12.2018 (Annexure P-1) which was amended on 05.03.2022 vide Annexure P-3. There is an arbitration clause in the amended purchase order. The parties are neither disputing existence of purchase orders nor arbitration clause.

3. The applicant, in terms of Section 21 of 1996 Act, served notice dated 08.06.2023 (Annexure P-7) upon the respondent for appointment of an Arbitrator. The respondent vide its reply dated 19.06.2023 (Annexure P-8)



declined the nomination of Arbitrator by applicant. Hence, the present application.

4. 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.

5. Mr. Justice (Retd.) Satish Kumar Mittal (former Chief Justice), residing at House No 1545, Sector -7, Chandigarh, Mobile No. 9780008107 is requested to act an 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.

6. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed by the 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. Needless to mention, parties will be at liberty to raise all the claims/defences/counter claims/pleas including that of limitation before the Arbitrator. Any observation made hereinabove will not be binding on the learned Arbitrator.

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10. A request letter along with copy of this order be sent to Mr. Justice (Retd.) Satish Kumar Mittal (former Chief Justice).

(JAGMOHAN BANSAL)
JUDGE

31.07.2024
Mohit Kumar

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