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CM -20544-45-CII-2018 in ARB-5-2014
CM -23657-58-CII-2018in ARB-13-2014
CM -21698-99-CII-2018 in ARB-14-2014
CM -20542-43-CII-2018 in ARB-6-2014
CM -21120-21-CII-2018 in ARB-9-2014
CM -22807-08-CII-2018 in ARB-11-2014
CM -23425-CII-2018 in ARB-7-2014
CM -23426-27-CII-2018 in ARB-12-2014
CM -24244-45-CII-2018 in ARB-10-2014

M/s Ansal Housing and Construction Ltd. vs. Parveen Singh and ors.

Present: Mr.Vikas Chatrath, Advocate
for the applicant-petitioner.

It appears from the record that Hon'ble Mr.Justice Mukul Mudgal, Former Chief Justice of this Court was appointed as the sole Arbitrator in a bunch of eleven cases, vide order dated 18.03.2016 with lead case bearing ARB No.4 of 2014. An application was filed before the Arbitrator with a request to hold arbitration proceedings in Chandigarh/ Karnal in view of the financial difficulties of the respondents. The said application was allowed and the arbitration proceedings were ordered to be held at Chandigarh/ Karnal. However, due to time schedule given in the amended Arbitration and Conciliation Act, 1996 and due to the change in the venue of the arbitration, the arbitrator showed his inability to continue with the arbitration proceedings and request has been made to appoint another arbitrator in his place. No fee has been paid by the parties to the arbitrator. Thereafter, in one of the cases i.e. arbitration case No.4 of 2014, Hon'ble Mr.Justice S.S.Saron, former Judge of this Court was appointed as an arbitrator vide order dated 22.09.2017.

Learned counsel for the applicant-petitioner submits

that the arbitration proceedings in the aforesaid case have already been concluded. Objections under Section 34 of the Act are pending before the objecting courts in Chandigarh and Karnal.

Perusal of the aforesaid order dated 22.09.2017 would show that the same was passed in the presence of Mr.Dinesh Maurya, Advocate for Mr.G.S.Sandhu, Advocate for the respondent No.1.

At the first instance, let the respondents be served through the offices of learned counsel for the respondents, who had appeared at the time when order dated 18.03.2016 was passed.

List again on 13.12.2022.

A photocopy of this order be placed on the file of each connected case.

16.11.2022
anita

(RAJ MOHAN SINGH)
JUDGE