

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

**ARB-248-2016 (O&M)
Decided on : 25.05.2018**

M/s MESANARULA WELLMAN (JV)

. . . Petitioner(s)

Versus

M/s Landmarks Infra Developers (P) Ltd.

. . . Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL,
ACTING CHIEF JUSTICE**

PRESENT: Ms. Sunita Nambiar, Advocate
for the petitioner(s).

Mr. Sunnydeep Juneja, Advocate
for the respondent(s).

AJAY KUMAR MITTAL, A.C.J. (Oral)

This is a petition under Section 11(6) of the Arbitration & Conciliation Act, 1996 (in short 'the Act of 1996') for quashing of the impugned letter dated 25th July, 2015 (Annexure A-5), appointing the Arbitrator without the consent of the applicant. A further prayer has been made for appointment of an Arbitrator in pursuance to the arbitration clause 17.0 and 18.0 mutually decided between the parties vide sub-contract dated 14.12.2014 (Annexure A-2).

2. On May 11, 2018, following order was passed:-

“Learned counsel for the respondent has produced a certified copy of the order dated 13.04.2018 passed by the Orissa High Court, Cuttack in Arbitration Petition No.25 of 2016, titled as 'M/s Landmarks Infra Developers (P) Ltd. vs. M/s Mesanarula Wellman (JV) and another', wherein Sh. U.C. Behura, Advocate of that court has been appointed as sole Arbitrator to resolve the dispute between the parties. Learned counsel has also filed reply on behalf of the respondent in Court today. The same is taken on record, subject to

all just exceptions. Office to tag the same at the appropriate place.

For arguments, to come up on 25.05.2018.”

3. It was not disputed between the parties that Sh. U.C. Behura, Advocate of the Orissa High Court has been appointed as sole Arbitrator to resolve the dispute between the parties.

4. In view thereof, it was prayed that the present petition has been rendered infructuous and may be disposed of as such.

5. Ordered accordingly.

May 25, 2018

J.Ram

**(AJAY KUMAR MITTAL)
ACTING CHIEF JUSTICE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No