



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.254

ARB-274-2024 (O&M)

Date of Decision: 02.07.2025

M/s Iconic Space Creators

.... Petitioner

Versus

Punjab Small Industries and Export Corporation Limited

... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Puneet Bali, Senior Advocate, with
Ms. Bhagyashree Setia, Advocate, for the petitioner.

Mr. Ashish Verma, Advocate, for the respondent.

TRIBHUVAN DAHIYA, J. (ORAL)

This is a petition under Section 11(6) of the Arbitration and Conciliation Act, 1996, for appointment of an Arbitrator to adjudicate claims arising out of the disputes which have arisen between the parties relating to allotment letter dated 01.09.2020, Annexure P-10, whereby the respondent allotted commercial plot bearing no.CP-1 in Phase VIII-A, Focal Point Mohali, measuring 2.112 acres at the rate of ₹32,600 per square yard to the petitioner for the purpose of shopping complex/multiplex on freehold basis.

2. Learned counsel for the respondent has objected to the prayer on the ground that in terms of clause 26 of the revised allotment letter, dated 01.09.2020, any dispute between the parties arising out of the terms and conditions of allotment letter has to be referred to sole arbitration of Managing Director of the Corporation.

3. The objection is unsustainable in view of the provisions of Section 12(5) read with Seventh Schedule of the 1996 Act, which bars



appointment of an employee, consultant, advisor, who has any past or present relationship with the party, as an Arbitrator.

4. Accordingly, petition is allowed. Mr. Justice (Retd.) Jaswant Singh, formerly Chief Justice of Tripura High Court, resident of House No.197, Sector 19-A, Chandigarh, Mobile No.9780008136, is nominated as Arbitrator to adjudicate the disputes between the parties, subject to compliance of statutory provisions.

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

6. A request letter along with a copy of the order be sent to Mr. Justice (Retd.) Jaswant Singh.

(TRIBHUVAN DAHIYA)
JUDGE

02.07.2025

Maninder

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