

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Arbitration Case No. 101 of 2016 (O&M)

Date of Decision: 11.11.2016

Haryana Ex-Service League

..Petitioner

Versus

Guru Jambheshwar University of Science and Technology, Hisar and
another

..Respondents

CORAM: HON'BLE MR. JUSTICE S.J.VAZIFDAR, CHIEF JUSTICE.

Present : Mr. Vivek Khatri, Advocate, for the petitioner.
Mr. Vivek Chauhan, Advocate, for the respondents.

S.J.VAZIFDAR C.J. (Oral)

This is a petition under section 11(6) of the Arbitration & Conciliation Act, 1996 for the appointment of an Arbitrator.

2. Both the parties admittedly entered into an agreement dated 16.01.2013. Clauses 25 and 26 contain an arbitration agreement. The reference is to be made to the Vice Chancellor of the respondents. However, in view of the amended provisions of the Arbitration & Conciliation Act, 2015 this would not be permissible.

3. In the circumstances, the petition is disposed of by appointing Mr. S.S.Dahiya, District & Sessions Judge (Retd.), Haryana as sole Arbitrator to adjudicate the disputes and differences between the parties. The fees shall be as per the Chandigarh Arbitration Centre (CAC) Administrative Cost and Arbitrator's Fees) Rules, 2014.

However, considering the fact that the claim is relatively small, it is desirable that the parties try and settle the matter through mediation. The parties are, therefore, referred to the ADR Centre at Hisar and attend the mediation proceedings there in the first instance on 15.12.2016 and thereafter as directed by the Mediator. In the event of the parties settling

the matter, the reference to the arbitration shall stand annulled without further reference. For this purpose, it is directed that the Arbitrator shall not enter upon the reference till 10.01.2017.

11.11.2016

'ravinder'

(S.J.VAZIFDAR)
CHIEF JUSTICE

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