

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

**ARB-242-2018 (O&M)
Date of decision: 27.01.2020**

**The Lehri Veeran Cooperative Labour and Construction Society Ltd.
.....Petitioner**

versus

**Punjab State Power Corporation Limited and another
.....Respondents**

CORAM: Hon'ble Mr. Justice Deepak Sibal

Present: Mr.Dheeraj Mahajan, Advocate for the petitioner
Mr.Avinit Avasthi, Advocate for the respondents

Deepak Sibal, J. (Oral)

The present petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 Act (for short, the Act) for appointment of an Arbitrator in a domestic commercial dispute.

It is not disputed that the parties had entered into an agreement which contained clause 3.19 as per which disputes between them arising out of the agreement were to be settled through the mode of arbitration.

Disputes having arisen between the parties, the petitioner through notice dated 12.12.2017 invoked the arbitration clause and required the respondents to appoint an Arbitrator, which was not responded to occasioning the filing of the present petition.

After hearing learned counsel for the parties and with their consent, for adjudicating the disputes between them, Mr.J.S.Klar, District & Sessions Judge (Retd.) is appointed as the Sole Arbitrator. However, such appointment would be subject to the declaration to be made by Mr. Klar under Section 12 of the Act with regard to his independence and impartiality to settle the disputes between the parties.

The Arbitrator is requested to complete the proceedings within the

time limit specified under Section 29A of the Act.

The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended or as may be mutually settled by the parties and the Arbitrator.

As per agreement expressed by learned counsel for the parties, for the sake of the convenience of their respective clients as also of the Arbitrator, the venue of the Arbitration shall be at Chandigarh or at any other place which is suitable to all concerned.

A copy of the this order be forwarded to Mr.J.S.Klar, District & Sessions Judge (Retd.) at the given address:-

H.No.210, Manjit Nagar,
Bhadson Road,
Patiala
Mobile No. - 9779568636

After seeking the convenience of the Arbitrator, the parties are directed to appear before him on 10.02.2020 or on any other date suitable to all concerned.

The matter is disposed of in the above terms.

27.01.2020
gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No