



ARB-363-2025 (O&M)

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

**ARB-363-2025 (O&M)
Date of Decision: 12.01.2026**

Raj Lakshmi Power Sales

.... Petitioner

Versus

Tesla Power India Private Limited

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Devansh Khanna, Advocate,
for the petitioner.

None for the respondent.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') praying for appointment of an independent Arbitrator to adjudicate upon the disputes which have arisen between the parties.

2. Learned counsel for the petitioner submitted that there was an agreement executed between the petitioner and the respondent vide Annexure P-1 in which there exists a valid arbitration clause i.e. Clause 9, which provides that in case any dispute or difference arises between the parties, the same shall be settled amicably and failing such an attempt, the dispute shall be referred to arbitration in accordance with the provisions of the Act. He further submitted that when the dispute arose between the parties, the petitioner tried its level best to settle the matter amicably but the same failed. Thereafter, the petitioner invoked the aforesaid arbitration

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clause by issuing notice under Section 21 of the Act to the respondent vide Annexure P-10 dated 31.03.2025 to which the respondent has filed their response vide Annexure P-11 whereby it did not concur with the name of the Arbitrator which was proposed by the petitioner. He submitted that when the present petition was filed, the respondent was being represented through counsel but thereafter, the respondent neither filed reply nor appeared today nor on the last date of hearing. He submitted that all the essential conditions for appointment of an Arbitrator under Section 11 of the Act stand fulfilled and therefore, an independent Arbitrator may be appointed by this Court.

3. I have heard learned counsel for the petitioner.

4. In the present case, vide order dated 29.05.2025, notice of motion was issued with process dasti as well. Thereafter, on 01.09.2025, none had caused appearance on behalf of the respondent despite being served and the matter was adjourned to 13.10.2025. On that date i.e. 13.10.2025, Mr. Suhit Jain, Advocate appeared on behalf of the respondent through video conferencing and sought time to file reply and address arguments and the matter was adjourned to 26.11.2025. On 26.11.2025, none had caused appearance on behalf of the respondent despite the fact that the matter was called twice; nevertheless, in the interest of justice, the matter was adjourned and fixed for today. Even today, none has caused appearance on behalf of the respondent.

5. Considering the valid arbitration clause contained in the Agreement vide Annexure P-1 and the notice invoking the said arbitration clause, this Court is of the view that all the essential conditions for appointment of a Sole Arbitrator under Section 11 of the Act are satisfied.

6. In view of the above, the present petition is allowed. Ms.

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Aakansha Sawhney, Advocate, resident of House No.1728, Sector 33-D, Chandigarh, Mobile No. 9888177209, Email ID: aakanksha.sawhney@gmail.com, is nominated as the Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory provisions including Section 12 of the Act.

7. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed and communicated by the learned Arbitrator at her convenience.

8. Fee shall be paid to the learned Arbitrator in accordance with the Fourth Schedule of the Arbitration Act, as amended.

9. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Arbitration Act.

10. A request letter alongwith a copy of the order be sent to Ms. Aakansha Sawhney, Advocate.

12.01.2026*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |