

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Arbitration Case No. 104 of 2018

Date of Decision : March 29, 2019

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M/s Mebric Security	...Petitioner
Versus	
Central University of Himachal Pradesh	...Respondent

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*Coram:*

**The Hon'ble Mr. Justice Surya Kant, Chief Justice.**

*Whether approved for reporting?<sup>1</sup>*

For the petitioner : Mr. Satyen Vaidya, Senior Advocate with  
Mr. Vivek Sharma, Advocate.

For the respondent : Mr. Rajesh Sharma, Assistant Solicitor  
General of India.

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**Surya Kant, Chief Justice.** (Oral)

The petitioner is a proprietary Firm and it entered into a work contract with the respondent – Central University of Himachal Pradesh to provide certain services. A formal agreement dated 1<sup>st</sup> July, 2010 was executed between the parties and as per Clause 'G' thereof, if any dispute or difference would arise between the parties in connection with the agreement, the same shall be referred to the sole arbitration to the Vice Chancellor of the respondent – University.

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<sup>1</sup>Whether reporters of Local Papers may be allowed to see the judgment?

2. As there arose a dispute, the petitioner requested the Vice Chancellor for appointment of an Arbitrator. The Vice Chancellor appointed one Sh. Om Parkash Sharma, a former Administrative Officer, as the sole Arbitrator vide letter dated 30.01.2017.

3. Learned counsel for the parties jointly inform that the Arbitrator held proceedings only once and despite repeated communications from both sides, he did not proceed with the Arbitration proceedings and eventually declined to act as an Arbitrator vide communication dated 13.07.2018. It is in this backdrop that the necessity to appoint a new Arbitrator has arisen.

4. Having regard to the nature of the dispute between the parties, Sh. Pritam Singh, a former Judicial Officer, settled at Palampur, District Kangra, H.P. is appointed as the sole Arbitrator with a request to resolve the dispute between the parties preferably within three months. The Arbitrator shall be paid remuneration as per Schedule IV of the Arbitration and Conciliation Act, 1996.

The present petition stands disposed of accordingly so also pending applications, if any.

**(Surya Kant),  
Chief Justice.**

March 29, 2019 (PK)