

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**  
**Arb. Case No.72 of 2019**  
**Decided on: 30.04.2021**

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Hemant Aggarwal

...Petitioner

Versus

M/s V. Kare Bio-Tech and others

..Respondents

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*Coram*

**The Hon'ble Mr. Justice L. Narayana Swamy, Chief Justice**

*Whether approved for reporting?*

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For the petitioner:

Mr. Sanjeev Kuthiala, Sr. Advocate with Ms. Anaida Kuthiala, Advocate.

For the respondents:

Mr. Vijay Chaudhary, Advocate for respondents No. 1 to 4.

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**L. Narayana Swamy, Chief Justice (Oral)**

**OMP No. 464 of 2020**

Learned counsel for the petitioner seeks permission to withdraw this application. Permission granted. The application is dismissed as withdrawn.

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2. This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996, for appointment of an arbitrator.

3. With the consent of the learned Counsel for the parties, Mr. Nimish Gupta, Advocate, is appointed as an Arbitrator in this case. He is requested to enter into reference within a period of two weeks from the date of receipt of a copy of this order. It shall be open for the learned Arbitrator to determine his

own procedure with the consent of the parties. Otherwise also, entire procedure with regard to fixing of time limit for filing pleadings or passing of Award stands prescribed under Sections 23 and 29A of the Act. The parties are directed to appear before the Arbitrator on 01.06.2021. As agreed by the parties, the fee of the Arbitrator is fixed as Rs,1,50,000/- which shall be equally borne by both the parties.

4. Needless to say, the award shall be made strictly as per provisions contained in Arbitration and Conciliation Act. A copy of this order be made available to the learned Arbitrator named above, by the Registry of this Court within one week, enabling him to take steps for commencement of the arbitration proceedings within stipulated period.

5. With these observations, the present petition stands disposed of along with pending application(s), if any.

**( L. Narayana Swamy )**  
**Chief Justice**

**April 30, 2021**  
**( vt )**