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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **ARB.P. 137/2017**

ARUN GOVIL CREATIONS

..... Petitioner

Through Ms Radhika Arora, Advocate.

versus

DIRECTOR GENERAL, DOORDARSHAN

PRASAR BHARTI

..... Respondent

Through Mr Rajeev Sharma and Mr Pratishth
Kaushal, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **03.03.2017**

1. The petitioner has filed the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, praying that an arbitrator be appointed to adjudicate the disputes that have arisen between the parties in relation to the agreement dated 19.06.2015.

2. The said agreement contains an arbitration clause which reads as under:-

“16. ARBITRATION

In the event of any dispute or difference arising out of or relating to between the parties hereto or as to the performance rights and obligations under this Agreement or as to any claim,

monetary or otherwise of one party against the other or as to the interpretation and effect of any terms and conditions of this Agreement, such dispute or difference shall be referred to the Sole Arbitrator to be appointed by Chief Executive Officer, Prasar Bharti (BCI), and the decision of the Arbitrator shall be final and binding on both parties. The Arbitration proceedings shall be governed by the provisions of the Arbitration and Conciliation Act, 1996. The venue of arbitration shall be NEW DELHI (INDIA).”

2. In view of the disputes, the petitioner had sent a letter dated 06.01.2017 invoking the arbitration clause. However, the arbitrator has not been appointed as yet.
3. Undisputedly, an arbitrator is required to be appointed to adjudicate the disputes between the parties. Accordingly, Ms Mohini Bhatt (Mob. 9901055009) is appointed as the Arbitrator to adjudicate the disputes between the parties. This is subject to the Arbitrator making the necessary disclosure under Section 12 of the Act and not being ineligible under Section 12(5) of the Act. The arbitrator's fees shall be fixed in consultation with the learned counsel for the parties and having regard to schedule IV to the Act.
4. The parties are at liberty to approach the Arbitrator for further proceedings.
5. The petition is disposed of.

VIBHU BAKHRU, J

MARCH 03, 2017

pkv