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

+ ARB.P. 226/2017

JUBILANT FOOD WORKS LTD. Petitioner
Through Mr.Sanjeev Narula, Advocate

versus

MR.ASHWIN SETHI, & ANR. Respondents
Through Mr.Vishnu Sharma & Ms.Heena
Malik, Advocates for R-1

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
% **21.08.2017**

1. Respondent No.2 is served. Despite service, none is present for respondent No.2.
2. This petition is filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 (*hereinafter referred to as 'the Act'*) seeking appointment of a sole arbitrator to adjudicate the disputes between the parties in terms of the clause 10 of the lease deed dated 07.04.2016.
3. The case of the petitioner is that on 25.08.2015 the petitioner executed a lease deed in favour of respondent No.2 in respect of the property situated at anchor shop No.1 and Shop No.B1, Ground Floor, GP Mall, Khasara No.58/1,58/2,58/11, Subhash Ward, Bus stand Road, Harda, Madhya Pradesh-461331. A tripartite agreement dated 07.04.2016 was executed on 26.04.2016 in terms of the lease deed dated 25.08.2015.
4. Clause 10 of the tripartite agreement contains an arbitration clause whereby in case of any dispute arising between the parties, the same shall be

settled by the arbitration.

5. The learned counsel who has entered appearance on behalf of respondent No.1 submits that his client has no objection in case a sole arbitrator is appointed.

6. Accordingly, the matter is referred to the Delhi International Arbitration Centre(*hereinafter referred to as 'the DIAC'*). The arbitration shall take place under the aegis of DIAC. A copy of this order be sent to the DIAC.

7. Petition stands disposed of as above.

JAYANT NATH, J.

AUGUST 21, 2017/v