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

+ ARB.P. 263/2017

VARISCON ENGINEERING SERVICES PVT. LTD. Petitioner
Through Mr.Kailash Chandra, Advocate

versus

AIMS SANYA DEVELOPERS PVT. LTD. Respondent
Through

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **09.08.2017**

1. The respondent is served. Despite service, none is appeared for the respondents.
2. The present petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996 seeking to appoint an arbitrator to adjudicate the dispute as set out between the petitioner and the respondent.
3. It is the case of the petitioner that on 02.12.2010 a Space Buyer Agreement was executed between the parties relating to Unit No.1 002 & 1003 at 10th Floor, Tower B of Landmark Tower Sector-15, Noida. The petitioner is said to have paid a sum of Rs.42,26,478/- to the respondent company against both the units. Disputes having arisen between the parties. The petitioner invoked the arbitration clause vide its notice dated 10.01.2017.
4. As per clause 59 of the space buyer agreement dated 02.12.2010, there exists an arbitration clause. The said clause 59 of the space buyer

agreement states that in case of any dispute, differences and/or claims arising out of the said agreement shall be settled by the sole arbitrator to be appointed mutually.

5. Accordingly, in view of the above, Mr.Hemant Gupta, Advocate (Mobile No.9899009971) is appointed as a sole arbitrator to adjudicate the disputes between the parties. The arbitration shall take place under the aegis of the Delhi International Arbitration Centre. A copy of this order be sent to the DIAC.

Petition stands disposed of. All the pending applications, if any, also stand disposed of.

JAYANT NATH, J.

AUGUST 09, 2017/v