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

+ ARB.P. 269/2017

D.D.PRADHAN & CO. PVT. LTD Petitioner
Through Mr.Vikram Kumar and Ms.Poonam
Sharma, Advs.

versus

S.S. CONSTRUCTIONS Respondent
Through None.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **29.11.2017**

This petition under Section 11 of the Arbitration & Conciliation Act, 1996 (hereinafter referred to the 'Act') has been filed by the petitioner praying for appointment of an Arbitrator for adjudication of the disputes that have arisen between the parties in relation to the award of work of Plumbing and Fire Fighting at Platina Mall, Sector-28, Opposite Bristol Hotel, MG Road, Gurgaon, Haryana.

Learned counsel for the petitioner brings to my notice the arbitration agreement contained in Clause 83 of the tender document and Clause 82 which provides for jurisdiction of this Court. He further submits that a notice dated 07.03.2017 invoking arbitration was duly served on the respondent, however, the respondent failed to act on the same.

Notice of this petition was issued to the respondent on 24.04.2017. Notice has been duly served on the respondent, however, the respondent has failed to appear on 16.11.2017 and even today. The respondent is proceeded

ex-parte.

In view of the above and at the request of counsel for the petitioner, I direct the parties to appear before Delhi International Arbitration Centre (DIAC) who shall appoint a Sole Arbitrator to adjudicate the disputes that have arisen between the parties in relation to the above mentioned work. The arbitration and the fee shall be governed by the rules of the DIAC.

The parties to appear before DIAC on 14th December, 2017 at 2:00 PM.

With the above directions, the petition is disposed of.

NAVIN CHAWLA, J

NOVEMBER 29, 2017/vp