

\$~7

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

%

Judgment delivered on: 01.09.2017

+ ARB.P. 331/2017

INDIACAN EDUCATION PVT. LTD. Petitioner

versus

SAI EDUCATION CENTRE & ANR. Respondents

Advocates who appeared in this case:

For the Petitioner : Ms.Shubham Mahajan, Adv.

For the Respondents : Ms.Pooja Dheer and Ms.Siddhartha, Adv.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner by way of the present petition under Section 11 of the Arbitration & Conciliation Act, 1996 (hereinafter referred to as 'the Act') seek appointment of an independent Sole Arbitrator.
2. The respondent company was appointed as a licensee by the petitioner by MOU dated 22nd March, 2013 to establish and authorize learning centre of the petitioner company.
3. Certain disputes have arisen between the parties. The petitioner has invoked the Arbitral Clause by letter dated 19th May, 2015.

4. The Arbitration Clause between the parties reads as under:

“23. All claims, disputes, differences of whatsoever nature arising out of, in connection with or in relation to this MOU whether during its term or after expiry thereof or prior termination, shall be finally decided by arbitration to be held in accordance with the provisions of the Arbitration and Conciliation Act, 1996 in force as at the date of the invocation of the arbitration.”

5. Learned counsel for the respondent submits that he has no objection to appointment of a Sole Arbitrator.

6. Parties are agreeable that Mr. Rajiv Virmani, Senior Advocate, be appointed as the Sole Arbitrator for adjudicating the disputes between the parties.

7. In view of the above, Mr. Rajiv Virmani, Senior Advocate (Mobile # 9810049143) is appointed as the Sole Arbitrator to adjudicate the disputes between the parties. This is subject to the Arbitrator making the necessary disclosures under Section 12 of the Act of not being ineligible under Section 12(5) of the Act.

8. The Arbitrator shall adjudicate the claims of the petitioners and the counter claims, if any of the respondents.

9. The Arbitrator shall fix his fee in consultation with the parties.

10. The parties are at liberty to approach the learned Arbitrator for elucidating the necessary disclosures and for further proceedings.

11. The petition is accordingly disposed of.
12. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

SEPTEMBER 01, 2017

'mr'

