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

+ **ARB.P. 771/2016**

NAVEEN AGGARWAL & OTHERS Petitioner
Through Mr.Rajiv Mangla, Adv. with
petitioner No.1-in-person.

versus

RETAIL KART SOLUTION PRIVATE LIMITED..... Respondent
Through Mr.Sandeep Sharma and Ms.Risha
Mital, Advs.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
% **25.05.2017**

1. The present 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.
2. The parties entered into a registered lease deed dated 08.09.2015 whereby it is the case of the petitioners that the respondent agreed to take the ground and first floor collectively for a duration of 9 years at an agreed rent of Rs. 3,50,000/- per month. The respondent took possession of the premises pursuant to the lease deed. As the disputes have arisen between the parties, the present petition has been filed.
3. Learned counsel appearing for the respondent at the very outset submits that he does not dispute about the existence of an arbitration clause in the lease deed. He, however, submits that the arbitration agreement is

with petitioners No.1 and 2, namely, Mr.Naveen Aggarwal and Ms.Shelly Aggarwal. He submits that Ms.Sunita is not a party to the lease deed. He further submits that invocation of the arbitration by the petitioners is not as per law.

4. It was put to the learned counsel for the parties that these two objections can be raised by the respondent before the learned Arbitrator. Without prejudice to their rights and contentions, the parties have agreed that these two issues may be raised by the respondent for adjudication before the learned Arbitrator.

5. Accordingly, Mrs.Anjali Vohra, Advocate (Mobile No.9811087442) is appointed as an arbitrator to adjudicate the disputes between the parties. The arbitration shall take place under the aegis of the Delhi International Arbitration Centre.

6. In view of the above, the petition stands disposed of.

7. The parties to appear before the learned arbitrator on 05.07.2017 at 4.00 PM.

JAYANT NATH, J

MAY 25, 2017

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