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

+ ARB.P. 816/2016

NAVEEN KUMAR KANODIA Petitioner

Through Mr.Navin Kr.Jha, Adv.

versus

ARN INFRASTRUCTURES INDIA LTD. Respondent

Through Ms.Upasana Talwar, Adv.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **23.05.2017**

1. Present petition is filed under section 11 (6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an independent and impartial Arbitrator to adjudicate the dispute between the parties.
2. The case of the petitioner is that he entered into a Memorandum of Understanding on 19.01.2010 with the respondent regarding a shop at the ground floor of Globus Business Park, Greater Noida (U.P.) for a unit measuring 428 sq.ft. and the terms and conditions of the MOU are not being adhered to by the respondent. It is urged that the said agreement has an Arbitration clause. The clause reads as follows:-

“a)That any dispute in the interpretation of any clause of this MOU shall be referred to the sole arbitration of an Arbitrator to be nominated by the Developer whose decision shall be final and binding on both the parties. All the arbitration proceedings shall be carried out in terms of the Arbitration and Conciliation Act, 1996, at New Delhi.”

3. Learned counsel appearing for the respondent very fairly states that this court may appoint an independent Arbitrator.

4. Accordingly Mr.Ankit Jain, Advocate, (Mobile No.9810737362) is appointed as an Arbitrator to adjudicate the dispute between the parties. The learned Arbitrator will comply with the provisions of section 12 of the act. He may also fix his fee in consultation with the learned counsel for the parties. The parties to appear before the learned Arbitrator on 5.7.2017 at 4:00 PM.

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

JAYANT NATH, J

MAY 23, 2017

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