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

+ ARB.P. 814/2016

POONAM THAKRAN

..... Petitioner

Through: Mr Yash Kumar, Advocate.

versus

TARUN SEAM & ORS.

..... Respondents

Through: Mr Anupam Srivastava, ASC,
GNCTD with Ms Niharika and Ms
Shreya Mehta, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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24.01.2017

1. The petitioner has filed the present petition under Section 11 of the Arbitration and Conciliation Act, 1996, *inter alia*, praying that an Arbitrator be appointed to adjudicate the disputes that have arisen between the parties in respect of an agreement dated 15.07.2013.

2. The said agreement contains an arbitration clause, which is set out below:-

“19. That all disputes or differences arising during the execution of the contract shall be resolved by mutual discussion failing which the matter will be referred to the Secretary (Law Justice and Legislative affairs) Govt. of NCT of Delhi or his nominee for arbitration whose decision shall be binding on the contracting parties.”

3. The petitioner had invoked the arbitration clause by a letter dated

26.02.2016. However, the Arbitrator has not been appointed as yet.

4. The learned counsel for the respondent submits that the medical superintendent has already taken steps and requested Department of Health and Family Welfare to refer the matter for arbitration as provided under the arbitration clause.

5. Undisputedly, an Arbitrator is required to be appointed to adjudicate the disputes between the parties. Accordingly, it is directed that an Arbitrator be appointed under the Rules of Delhi International Arbitration Centre (DIAC). The parties shall appear before the Co-ordinator, DIAC on 09.02.2017 at 11:00 AM. The arbitration shall be conducted under the aegis of DIAC and in accordance with its Rules.

6. The petition is disposed of.

VIBHU BAKHRU, J

JANUARY 24, 2017
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