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

+ **ARB.P. 29/2018**

SUNEHARI BAGH BUILDERS PVT. LTD. Petitioner

Through: **Mr Bharat Bhushan Dharmani,**
Advocate.

versus

**INDIRA GANDHI NATIONAL OPEN
UNIVERSITY & ANR.**

..... Respondents

Through: **Mr Harmeet Singh Rupran, Advocate.**

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% 03.05.2018

1. The petitioner has filed the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, praying that an arbitrator be appointed to adjudicate the disputes that have arisen between the parties in relation to an agreement dated 04.04.2012 (hereafter 'the Agreement') entered into between the parties.

2. The petitioner had also requested that the disputes be referred to the Disputes Redressal Committee (DRC). By a letter dated 22.08.2017, the respondent (IGNOU) had communicated that the petitioner's request had been processed and the date of the meeting would be communicated by the DRC/IGNOU. However, the petitioner states that it did not receive any communication thereafter. Consequently, the petitioner once again – by a letter dated 16.10.2017 – requested that since the Disputes Redressal Committee had not been formed so far, the matter be referred to the arbitration.

3. There is no dispute as to the existence of the arbitration agreement (clause) and, therefore, an arbitrator is required to be appointed.
4. Accordingly, with the consent of the learned counsel appearing for the parties, it is directed that an arbitrator be appointed by the Delhi International Arbitration Centre (DIAC). The arbitration shall be conducted under the aegis of DIAC in accordance with its rules and regulations.
5. The parties shall appear before the Coordinator, DIAC on 23.05.2018 at 11:00 AM for further proceedings.
6. The petition is disposed of.

MAY 03, 2018
RK

VIBHU BAKHRU, J