

\$~28

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

+ ARB.P. 114/2018

COMMUNITY WORKS WELFARE SOCIETY Petitioner

Through: Mr.Animesh Khanna and Ms.Osama
Suhail, Advs.

versus

VENVIK TECH SOLUTIONS

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

%

22.05.2018

This petition under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act') has been filed by the petitioner seeking appointment of a Sole Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the Agreement dated 14.02.2017. The said agreement contains an Arbitration Agreement in the form of Clause 4.2 thereof, which is reproduced herein below:

“4.2 In the event of any dispute, difference or question which may at any time arise between the parties hereto or any person claiming under them, touching or arising out of or in respect of this agreement or the subject matter thereof or the commission of any breach, Interpretation, operation, effect of any term(s)/clause(s) thereof or of compensation payable thereof or in any manner whatsoever in connection with it, the same shall be referred to the seat of Arbitration at Delhi. The decision or award so given shall be binding on the parties hereto.”

The disputes having arisen, the petitioner invoked the Arbitration Agreement vide its notice dated 13.10.2017. Having received no response thereto, the present petition was filed by the petitioner.

Upon service of the notice of the present petition, the respondent entered appearance on 19.03.2018 and at the request of the parties, they were referred to the Delhi High Court Mediation and Conciliation Centre for exploring the possibility of an amicable settlement.

As the parties could not arrive at an amicable settlement, the petition was listed before this Court on 07.05.2018. On that date and today, even after a pass-over, none appears for the respondent.

As the existence of the arbitration agreement and due invocation thereof by the petitioner, is not denied by the respondent, I do not see any impediment in appointing a Sole Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the abovementioned Agreement.

I hereby appoint Mr.P.K. Saxena, Retired Additional District Judge, Delhi, R/o Flat No.261, Royal Residency, Plot No.5, Sector 9, Dwarka, New Delhi-110077, Mobile No. 9910384668 as a Sole Arbitrator for adjudicating the disputes that have arisen between the parties.

The Arbitrator shall give his disclosure statement in terms of Section 12 of the Act before entering upon the reference.

The petition is allowed in the above terms, with no order as to cost.

Dasti.

NAVIN CHAWLA, J

MAY 22, 2018/Arya