

\$~43

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

+ **ARB.P. 132/2018**

SMT.LALTESH KUMARI

..... Petitioner

Through: Mr A. K. Shakya and Ms Monika
Chaudhary, Advocates.

versus

M/S PLATINUM BODY CARE & ORS.

..... Respondents

Through: Mr Prateek Chauhan, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

03.04.2018

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 arbitral tribunal be constituted to adjudicate the disputes that have arisen between the parties in connection with the Partnership Deed dated 04.08.2014 (hereafter 'the Deed'). The Deed contains an arbitration clause, which is set out below:-

“19. That in case of any dispute between the partners regarding the constructions, meaning and effect of this deed of any part thereof or respecting the accounts or profit and loss of the business, or the right and liabilities of the partners under this deed, or the dissolution or winding up of the business, or any other matter relating to the business, the same shall be referred to the bench of three arbitrators to the appointed each by the parties hereto majority decision of them shall prevail.

20. That all the matters shall remain subject to the

jurisdiction of the New Delhi Court.”

2. The learned counsel appearing for the respondent has no objection if the arbitrators are appointed. The learned counsel appearing for the parties also request that instead of a tribunal of three members a sole arbitrator be appointed, and the arbitration be conducted under the aegis of Delhi International Arbitration Centre (DIAC).
3. With the consent of the parties, it is directed that a sole arbitrator be appointed by the DIAC to adjudicate the disputes covered within the scope of the aforementioned arbitration clause. The arbitration shall be conducted under the aegis of DIAC and in accordance with its Rules.
4. The parties shall appear before the Co-ordinator, DIAC on 27.04.2018 at 11:00 PM for further proceedings.
5. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

APRIL 03, 2018
MK