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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 127/2018**
MOHAMMAD JAMALUDDIN Petitioner
Through: Mr.S.W. Haider, Adv.

versus

TWO BROTHERS BEVERAGE PVT. LTD Respondent
Through: J.H. Khan & Mr.Rashi Azam, Advs.
with Mr.Dilshad Ghani, AR for
respondent.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **07.09.2018**

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 an Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the "Unsecured Loan Agreement Director to Company" dated 27.12.2016 executed between the petitioner and the respondent. The said Agreement contains an Arbitration Agreement in form of Clause 8 thereof.

Disputes having arisen between the parties, the petitioner invoked the Arbitration Agreement vide its Letter dated 20.12.2017. Having failed to receive any response the present petition has been filed by the petitioner.

Learned counsel for the respondent submits that, without prejudice to the rights and contentions of the respondent and its objection, including on the question of validity of the Agreement, the respondent is agreeable to the appointment of an Arbitrator leaving all such disputes and objection to be

raised before the Arbitrator himself.

In view of the statement made, I appoint Justice S.P Garg, Retired Judge of this Court (D-72, Saket Court Residential Complex, Saket, New Delhi -110017, Mobile: 9910384627) as an Arbitrator to adjudicate the disputes that have arisen between the parties in relation to the abovementioned Agreement.

The Arbitration shall be conducted under the aegis of the Delhi International Arbitration Centre (DIAC) and shall be governed by its rules as to the procedure and fee.

The petition is disposed of with the above directions, with no order as to cost.

NAVIN CHAWLA, J

SEPTEMBER 07, 2018/rv