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

+ ARB.P. 214/2018

GOLEDEN FALCON INDUSTRIES LTD. Petitioner

Through Mr.Rakesh Sharma, Mr.Chetan
Anand and Mr.Akash, Advs.

versus

INDIA INFOLINE INSURANCE BROKERS LTD. & ANR.

..... Respondents

Through Mr.Ajay Monga and Mr.Amol
Sharma, Advs. for R-1.
Mr.Nishank Tyagi, Adv. for R-2
along with Mr.Manoj Kumar, AR.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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28.05.2018

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 28.08.2015 and the Sub-Lease Agreement dated 24.05.2016. The Agreements contains an Arbitration Agreement in form of Clause 27 thereof.

The disputes having arisen, the petitioner invoked the Arbitration Agreement vide its notice dated 29.11.2017. Thereafter, the respondents offered to settle the disputes but the parties failed to reach on amiable settlement. Accordingly, the present petition was filed by the petitioner.

Upon issuance of the notice and at the request of the parties, the parties were referred to the Delhi High Court Mediation and Conciliation Centre (DHCMCC) for exploring the possibility of an amicable settlement. However, settlement could not be arrived at.

As the existence of the Arbitration Agreement and the invocation thereof is not denied by the respondents, 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 Agreements.

Learned counsels for the parties submit that the parties may be referred to the Delhi International Arbitration Centre (DIAC) for the appointment of a Sole Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the abovementioned Agreements.

Accordingly, parties are directed to appear before the DIAC on 5th July, 2018 at 2.00 p.m. The DIAC shall appoint a Sole Arbitrator for adjudicating the disputes that have arisen between the parties. All rights and contentions of the respondents shall remain open in such arbitration proceedings. The Arbitration and the fee shall be governed by the DIAC rules.

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

Dasti.

NAVIN CHAWLA, J

MAY 28, 2018/Arya