

\$~4

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

+ **ARB.P. 284/2018**

SKYLINE INTERNATIONAL SERVICES PVT. LTD

..... Petitioner

Through: Mr.Jeevesh Nagrath & Mr.Chitvan
Singhal, Advs.

versus

DEVYANI INTERNATIONAL LTD.

..... Respondent

Through: Mr.Gaurav Beri, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

%

24.07.2018

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 Lease Deed dated 28.02.2012. The said Lease Deed contains an Arbitration Agreement between the parties in form of Clause 24 thereof, which is reproduced hereinunder:-

“24. In the event of any dispute arising out of or connected with this Agreement, the same shall be referred to an arbitrator to be jointly appointed by both the parties and resolved under the provisions of the Arbitration and Conciliation Act, 1996.”

Disputes having arisen between the parties, the petitioner invoked the Arbitration Agreement vide its notice dated 22.01.2018, suggesting certain names as proposed Arbitrators. The respondent vide its reply dated 20.02.2018, while not disputing the existence of the Arbitration Agreement,

suggested two further names as proposed Arbitrators.

As the parties could not arrive at a consensus on the name of the Arbitrator, the present petition was filed.

The counsel for the respondent submits that the respondent has no objection if the Court appoints a Sole Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the above mentioned Lease Deed.

I appoint **Mr.Pradeep Chaddah**, former District and Sessions Judge (R/o 37/29, East Patel Nagar, New Delhi-110008, Mobile: 9910384665) as a Sole Arbitrator for adjudicating the disputes that have arisen between the parties. The arbitrator shall give his disclosure in terms of Section 12 of the Act before proceeding with the reference. The arbitration shall be held under the aegis of Delhi International Arbitration Centre and shall be governed by its rules as to procedure and fee.

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

NAVIN CHAWLA, J

JULY 24, 2018/rv