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

+ ARB.P. 321/2018

SUNITA SURI

..... Petitioner

Through Mr.Ashish Khorana, Adv.

versus

UNION OF INDIA & ANR.

..... Respondents

Through Mr.Jaswinder Singh, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**

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**10.07.2018**

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 Agreement dated 28.07.2014 executed between the parties. The said agreement admittedly contains an Arbitration Agreement between the parties.

The disputes having arisen, the petitioner invoked the Arbitration Agreement vide its notice dated 31.08.2016. Having received no response, the present petition was filed by the petitioner.

Learned counsel for the respondents submits that the respondents have no objection if an Arbitrator is appointed for adjudicating the disputes that have arisen between the parties.

As the existence of the Arbitration Agreement and the invocation thereof is not denied by the respondent, I do not see any impediment in

appointing an Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the abovementioned Agreement.

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 Agreement.

Accordingly, parties are directed to appear before the DIAC on 24.07.2018 at 2.00 p.m. The DIAC shall appoint a Sole Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the abovementioned Agreement. 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.*

Cost imposed on the respondents vide order dated 09.07.2018 stands withdrawn.

The date fixed earlier i.e. 02.08.2018 stands cancelled.

**NAVIN CHAWLA, J**

**JULY 10, 2018/Arya**