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

+ **ARB.P. 336/2018**

AAR PEE LIFE CARE PVT. LTD. Petitioner

Through: Mr. Kanishk Ahuja, Adv.

versus

OMSAI INTERNATIONAL Respondent

Through: Mr. Pradeep Shukla and Mr. Sushant Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **20.09.2018**

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 an appointment of an arbitrator for adjudicating the disputes that have arisen between the parties in relation to the Consignee Sales Agent Agreement dated 30.03.2015 executed between the parties. The said Agreement contains an Arbitration Agreement in form of Clause D, which is being reproduced hereinbelow:-

“Any dispute or differences arising out of or in connection with this agreement or its performance, between the parties, shall firstly be tried to settle amicably, however in the scenario the parties are unable to settle their issues than the disputes between the parties shall be referred to a sole arbitrator as per the Arbitration and Conciliation Act, 1996. The language of Arbitration shall be English and the place of Arbitration shall be Delhi only.”

Disputes having arisen between the parties, the petitioner invoked the Arbitration Agreement vide its notice dated 20.03.2018. Having failed to receive any response from the respondent, the present petition was filed.

The counsel for the respondent submits that the respondent has no objection on appointment of an arbitrator for adjudicating the disputes that have arisen between the parties.

I appoint Ms. Mansi Bajaj, Advocate (A-13, Ground Floor, Jangpura Extension, New Delhi-110014, Mobile:- 9818000003) as a Sole Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the abovementioned Agreement.

The arbitrator shall give a disclosure under Section 12 of the Act before proceeding with the reference.

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

NAVIN CHAWLA, J

SEPTEMBER 20, 2018

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