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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 403/2018

RCI INDUSTRIES & TECHNOLOGIES LTD Petitioner

Through: Mr.Umesh Mishra, Adv.

versus

MANISH AGGARWAL

..... Respondent

Through: Mr.Aayush Bhatia, Mr.Pulkit Agarwal,
Mr.Palav Agarwal, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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14.12.2018

1. This petition has been filed by the petitioner under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act') seeking appointment of an Arbitrator to adjudicate the disputes that have arisen between the parties in relation to the Deed of Reconstitution of Firm dated 15.04.2016 and Supplementary Deed of the same date. The Arbitration Agreement between the parties is contained in Clause 19 of the Supplementary Deed.
2. Disputes having arisen between the parties, the petitioner invoked the Arbitration Agreement vide its notice dated 26.02.2018.
3. The respondent vide its reply refused to give consent to the appointment of the Arbitrator.
4. In the present petition, the respondent has filed its reply wherein the respondent has stated that the petitioner owes money to the respondent and the respondent intends to raise a counter claim

against the petitioner.

5. In view of the above, I see no impediment in appointing a Sole Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the abovementioned Agreements.

6. With the consent of the parties, the parties are referred to the Delhi International Arbitration Centre (DIAC) who shall appoint a Sole Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the abovementioned Agreements. The parties shall appear before the DIAC on 10th January, 2019 at 2.00 p.m.

7. The arbitration proceedings and the fee shall be governed by the DIAC rules.

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

NAVIN CHAWLA, J

DECEMBER 14, 2018
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