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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 477/2018

MEENAKSHI NAYYAR

..... Petitioner

Through: Mr.Gaurav Puri, Sr. Adv. with
Mr.T.Chawla, Ms.Neha Bhutani, Ms.Aditeya Bali,
Ms.Apoorva Mayank, Adv.

versus

OPULENT INFRA DEVELOPERS PVT. LTD. & ANR

..... Respondents

Through: Mr.Abhishek, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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16.10.2018

1. 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 Allotment Letter dated 31.05.2011 executed between the parties. The said Allotment Letter contains an Arbitration Agreement in form of Clause 53 thereof.
2. Disputes having arisen between the parties, the petitioner invoked the Arbitration Agreement vide notice dated 27.04.2018. Having failed to receive a response from the respondents, the present petition was filed.
3. Notice of the said petition was issued to the respondent on 06.07.2018. On 14.08.2018, counsel for the respondents submitted that the respondents are interested in reaching an amicable settlement of the disputes with the petitioner. At the request of the parties,

parties were referred to the Delhi High Court Mediation and Conciliation Centre. However, the parties could not arrive at a settlement.

4. As the existence of the Arbitration Agreement and the invocation thereof are 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 Allotment Letter.

5. With the consent of the parties, the parties are referred to the Delhi International Arbitration Centre (DIAC), where they shall appear on 29th October, 2018 at 2.00 PM.

6. The DIAC shall appoint a Sole Arbitrator for adjudicating the disputes that have arisen between the parties. The arbitration proceedings and the fee of the Arbitrator shall be governed by the DIAC rules.

7. The petition is disposed of with the above directions with no order as to costs.

NAVIN CHAWLA, J

OCTOBER 16, 2018
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