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

+ **ARB.P. 502/2018**

N S ASSOCIATES PVT. LTD.

..... Petitioner

Through: **Mr.Tarique Siddiqui, Mr.Aamir Zaidi
& Ms.Reetika Gupta, Adv.**

versus

TODAY HOMES INFRASTRUCTURE PVT. LTD.

..... Respondent

Through: **Mr.Jitender Ratta, Adv.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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08.10.2018

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 20.01.2012 executed between the parties in relation to the work for Civil, Finishing, Electrical, Plumbing & Sanitary Works of Today Kings Park (Tower No.:A,B,C,D,E,F & G including corresponding non-tower area) at Sector-Omega -I ,Greater Noida.

The General Conditions of Contract contain an Arbitration Agreement in form of Clause 23 thereof.

Disputes having arisen between the parties, the petitioner invoked the Arbitration Agreement vide its notice dated 05.09.2016. Having failed to receive a response, the petitioner sent a reminder notice on 12.10.2016,

however, again there was no response from the respondent, forcing the petitioner to file the present petition.

Learned counsel for the respondent submits that the respondent has no objection if an Arbitrator is appointed for adjudicating the disputes that have arisen between the parties in relation to the abovementioned Agreement.

As the existence of the Arbitration Agreement and due invocation thereof are not denied by the respondent, I see no impediment in appointing a Sole Arbitrator for adjudicating the disputes that have arisen between the parties.

I appoint **Justice Swatanter Kumar**, Retd. Judge of Supreme Court (R/o C-3/5, 1st Floor, Near SDA Market, Safdarjung Development Area, Hauz Khas, New Delhi-110016, Mobile: 9560413636) 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

OCTOBER 08, 2018/rv