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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 599/2018

INDIRA MOHAN

..... Petitioner

Through: Mr.Shantnu Aggarwal, Adv.

versus

ASTRO TOURISM INDIA PVT. LTD

..... Respondent

Through: Mr.Vipul Gupta, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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29.10.2018

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 for adjudicating the disputes that have arisen between the parties in relation to the Lease Deed dated 29.07.2016 executed between the parties. The Arbitration Agreement is contained in clause 21 of the Lease Deed.
2. Disputes having arisen between the parties, the petitioner invoked the Arbitration Agreement vide its notice dated 28.03.2018. Having failed to receive a response from the respondent, the present petition was filed.
3. Counsel for the respondent submits that the respondent has no objection if an Arbitrator is appointed by this Court for adjudicating the disputes that have arisen between the parties in relation to the abovementioned Lease Deed.
4. As the Arbitration Agreement and the due invocation thereof are not denied by the respondent, I appoint **Ms.Meera Bhatia,**

Advocate (Chamber No.402, Lawyers Block, Delhi High Court, New Delhi, Mobile No.9810076748) as the Sole Arbitrator for adjudicating the disputes that have arisen between the parties. A common Arbitrator is being appointed in Arb.Pet. Nos.577/2018 and 604/2018 as common disputes arise in these petitions. The Arbitrator shall give disclosure under Section 12 of the Act before proceeding with the reference.

5. Counsel for the respondent submits that the respondent would also like to explore the possibility of an amicable settlement of the disputes with the petitioner.

6. At the joint request of the counsels for the parties, the parties are referred to the Delhi High Court Mediation and Conciliation Centre, where they shall appear on 15th November, 2018 at 2.00 p.m.

7. Incase, the parties are able to arrive at a settlement, the parties shall request the Arbitrator not to proceed with the reference. Incase, the mediation proceedings fail, either party may request the Arbitrator to enter upon the reference and proceed with the adjudication of the disputes.

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

NAVIN CHAWLA, J

OCTOBER 29, 2018
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