

\$~6

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

+ **ARB.P. 615/2018**

JAI JAWAN HOUSING (OPC) PVL LTD Petitioner
Through: Ms.Divya Gattani, Mr.Neeraj Gupta,
Advs.

versus

SASMITA MOHANTY Respondent
Through: None

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **02.11.2018**

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 an Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the Memorandum of Understanding (MoU) dated 15.02.2016 executed between the parties. The MoU contains an Arbitration Agreement between the parties and vests jurisdiction in Courts at New Delhi.
2. Disputes having arisen between the parties, the petitioner invoked the Arbitration Agreement vide its notice dated 03.01.2018. Having failed to receive a response, the present petition was filed.
3. Notice of this petition was issued to the respondent on 05.09.2018, returnable on 03.10.2018. As the service report had not been received on 03.10.2018, while awaiting such report, fresh notice was directed to be issued to the respondent.

4. It has now been reported that the respondent had refused to accept service of notice when attempts had been made to serve the notice on 30.09.2018. There was thus proper service of the notice on the respondent. In spite of service of notice on the respondent, none appears for the respondent.
5. As the Arbitration Agreement and due invocation thereof remain uncontested, I see no impediment in appointing a Sole Arbitrator to adjudicate the disputes that have arisen between the parties in relation to the above-mentioned MoU.
6. I appoint, **Ms.Mansi Bajaj**, Advocate A-13, Ground floor, Jangpura Extension, New Delhi-110014, Mobile-9818000003 as the Sole Arbitrator for adjudicating the disputes that have arisen between the parties.
7. The Arbitrator shall give disclosure under Section 12 of the Act before proceeding with the reference.
8. The petition is allowed in the above terms with no order as to costs.

NAVIN CHAWLA, J

NOVEMBER 02, 2018
RN