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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 817/2018

DR. LAL PATHLABS LIMITED

..... Petitioner

Through: Mr.Akhil Anand, Ms.Divisha Mehta,
Advs.

versus

SUNDER LAL JAIN CHARITABLE HOSPITAL Respondent

Through: Mr.A.K.Singla, Sr. Adv. with Mr.Rahul
Shukla, Ms.Bachita Shukla, Mr.Bhuvan
Ravindran, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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20.12.2018

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 Revenue Sharing Agreement dated 07.05.2012 executed between the parties.

2. Disputes having arisen between the parties, the petitioner invoked the Arbitration Agreement vide its notice dated 21.08.2018.

3. Having failed to receive a response, the petitioner filed the present petition.

4. The learned senior 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. He,

however, submits that an opportunity should be given to the parties for exploring the possibility of an amicable settlement.

5. Counsels for the parties further submit that the parties be referred to the Delhi International Arbitration Centre (DIAC) for the purpose of appointment of an Arbitrator.

6. In view of the above, the parties are directed to appear before the DIAC on 15th February, 2019 at 2.00 p.m.

7. The DIAC shall appoint a Sole Arbitrator for adjudicating the disputes that have risen between the parties in relation to the abovementioned Agreement. The arbitration proceedings shall be governed by the DIAC Rules.

8. In the meantime, the parties are referred to the Delhi High Court Mediation and Conciliation Centre, where they shall appear on 8th January, 2019 at 3.00 p.m.

9. In case the parties are able to arrive at a settlement or if the mediation proceedings are not concluded till 15.02.2019, the parties shall be free to request the DIAC to postpone the appointment of an Arbitrator.

10. The petition is disposed of in the above terms with no order as to costs.

NAVIN CHAWLA, J

DECEMBER 20, 2018
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