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

+ ARB.P. 774/2017

GENESIS BURSON-MARSTELLER PUBLIC
RELATIONS PVT. LTD.

..... Petitioner

Through: Mr Ashwani Kumar, Advocate.

versus

FASHOION ONE INTERNATIONAL PVT.LTD Respondent

Through: Mr Vikas Sharma and Ms Ramandeep
Kaur, Advocates

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **07.03.2018**

1. The petitioner has filed the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, praying that an arbitrator be appointed to adjudicate the disputes that have arisen between the concerned parties in relation to an agreement dated 15.04.2012 (hereafter 'the Agreement').

2. The Agreement contains an arbitration clause, which is set out below:-

“9. **Dispute Resolution and Jurisdiction:** The Client and GBM shall endeavour to amicably settle any differences or disputes that may arise out of or in connection with this Agreement, failing which the dispute will be settled through arbitration under the provisions of the Indian Arbitration and Conciliation Act, 1996 and any statutory modification or re-enactment for the time being in force. The venue of arbitration shall be New Delhi.

3. The petitioner had invoked the said arbitration clause by a notice dated 28.08.2017. However, the parties have been unable to concur on appointment of an arbitrator. The learned counsel appearing for the respondent also does not dispute the existence of the arbitration clause.

4. In view of the above, Mr Amit George, Advocate (Mobile No. 9910524364) is appointed as the sole arbitrator to adjudicate the disputes that have arisen between the parties. This is subject to the Arbitrator making the necessary disclosure under Section 12 of the Act and not being ineligible under section 12(5) of the Act. The arbitrator shall fix his fees in consultation with the learned counsel for the parties.

5. The arbitration shall be conducted under the aegis of Delhi International Arbitration Centre (DIAC) and in accordance with its Rules. The parties are directed to appear before the Coordinator, DIAC on 21.03.2018 at 03:30 p.m. for further proceedings.

6. The petition is disposed of.

VIBHU BAKHRU, J

MARCH 07, 2018

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