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

+ **ARB.P. 2/2018**

**CENTRE FOR FUNDRAISING SOLUTION PRIVATE
LIMITED**

..... Petitioner

Through: Ms Manisha Parmar and Mr Tipo
Ningombam, Advocates.

versus

CHURCH'S AUXILIARY FOR SOCIAL ACTION Respondent

Through: Mr Pramod B. Agarwala and Mr Anuj
P. Agarwala, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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02.04.2018

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 parties in relation to the 'Master Services Agreement' dated 21.01.2016 (hereafter 'the Agreement'). The Agreement includes an arbitration clause, which is set out below:-

"11. DISPUTE RESOLUTION

In the event of any unresolved dispute or difference of any nature whatsoever between the Service Provider and CASA arise out of this Agreement, it shall be referred to the arbitrator who shall be appointed as per the provisions of the Arbitration and Conciliation Act, 1996, and enactments/modifications thereof and such decision shall be final and binding upon the Parties. The arbitration proceedings shall be conducted in Delhi, India and in accordance with the provisions of the

Arbitration and Conciliation Act, 1996, and enactments/modifications, if any, thereof.”

2. The learned counsel appearing for the respondent states that he has no objection if an Arbitral Tribunal is constituted. He, however, submits that the original documents have not been filed and requests that directions be issued for the same to be filed before the Arbitral Tribunal. The learned counsel appearing for the parties are also agreeable that an Arbitrator be appointed by the Delhi International Arbitration Centre (DIAC).
3. In view of the above, with the consent of the parties, it is directed that an arbitrator be appointed by DIAC. The arbitration shall be conducted under the aegis of DIAC and in accordance with its Rules. The parties shall appear before the Co-ordinator, DIAC on 23.04.2018 at 3:00 PM for further proceedings.
4. The petition is disposed of.

VIBHU BAKHRU, J

APRIL 02, 2018
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