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

+ ARB.P. 839/2017

SYNERGY CONSULTANTS

..... Petitioner

Through: Mr.Sandeep Bisht and Mr.Anand
Molick, Advs.

versus

TD WILLIAMSON INDIA LIMITED

..... Respondent

Through: Mr.Amitabh Sharma and Ms.Amrita
Narayan, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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10.04.2018

The parties could not arrive at a settlement before the Delhi High Court Mediation and Conciliation Centre.

This petition under Section 11 of the Arbitration & Conciliation Act, 1996 (hereinafter referred to as the 'Act') has been filed by the petitioner seeking appointment of an Arbitrator to adjudicate the disputes that have arisen between the parties in relation to the Agreement dated 01.04.2014. The said Agreement contains an Arbitration Agreement in form of Clause 15.3 thereof.

The disputes having arisen between the parties, the petitioner invoked the Arbitration Agreement vide its email dated 21.09.2017. The respondent by its legal notice dated 24.10.2017, not disputing the Arbitration Agreement, proposed a name for appointment as an Arbitrator. The same not being agreeable to the petitioner, the present petition was filed.

As the existence of the Arbitration Agreement and the invocation thereof is not denied, I see no impediment in appointing a Sole Arbitrator to adjudicate the disputes that have arisen between the parties.

Learned counsels for the parties submit that the parties may be referred to Delhi International Arbitration Centre (DIAC) for appointment of a Sole Arbitrator and for conduct of the arbitration proceedings.

Learned counsels for the parties further submit that as the nature of issues involved in the present case would be similar to the one involved in **Arb. P.837/2017**, the same Arbitrator may be appointed by the DIAC in this case as well. I find the request to be reasonable.

Accordingly, the parties are directed to appear before DIAC on 27th April, 2018 at 2.00 p.m. DIAC shall appoint a Sole Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the abovementioned Agreement.

The arbitration and the fee shall be governed by DIAC rules.

The petition is allowed in the above terms with no orders as to cost.

NAVIN CHAWLA, J

APRIL 10, 2018/Arya