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

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Date of decision: 16.10.2019

+ **ARB.P. 30/2019**

MAHENDRA SINGH DHONI

..... Petitioner

Through: Mr. Manish Verma, Advocate.

versus

AMRAPALI HOMES PROJECTS PRIVATE LIMITED & ORS.

..... Respondents

Through:

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

1. On 29.4.2019, Mr. Abhishek Sharma, Advocate had appeared for Mr. Manoj Singh, Advocate, for the respondents. The order sheets thereafter indicate that there has been no appearance on behalf of the respondents. The respondents are, therefore, proceeded *ex-parte*.
2. This is a petition filed under Section 11(6) of the Arbitration & Conciliation Act, 1996 ('Act') for appointment of a Sole Arbitrator to adjudicate the disputes and differences between the parties pertaining to a Joint Venture Agreement dated 14.6.2011.
3. The Arbitration Clause between the parties reads as under:-

“(a) Arbitration The Dispute shall be referred in final and binding arbitration under [India] Arbitration Act, 1996, as amended Such Arbitration shall be held in New Delhi. All proceeding of such arbitration shall be in the English language.”

4. In view of the Arbitration and Conciliation (Amendment) Act, 2015 and a recent judgment of the Apex Court in the case of *M/s Mayavati Trading Pvt. Ltd. Vs. Pradyut Deb Burman*, this Court is only required to examine the existence of the arbitration agreement between the parties.
5. Since there is no appearance on behalf of the respondents, the arbitration clause is deemed to be admitted.
6. As prayed, Hon'ble Ms. Justice Veena Birbal, a former Judge of this Court, is appointed as Sole Arbitrator to adjudicate the disputes between the parties.
7. The address and mobile number of the learned Arbitrator is as under:

Hon'ble Ms. Justice Veena Birbal (Retd.)
P-10, South Extension Part-II,
New Delhi-10049
Mobile - 9871300032
8. The learned Arbitrator shall give disclosure under Section 12 of the Act, before entering upon reference.
9. Fee of the Arbitrator shall be fixed as per Fourth Schedule of the Act.
10. The petition is allowed in the aforesaid terms.

JYOTI SINGH, J

OCTOBER 16, 2019

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