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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 304/2019 & I.A. 6561/2019**
SH. ABHAY DEV SHARMA Petitioner
Through: Mr.Rama Shanker, Adv.

versus

M/S FOUR FRESH RETAIL PVT. LTD Respondent
Through: None

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **06.09.2019**

1. Despite service there is no presence on behalf of the respondent.
2. This petition has been filed under Section 11(6) of the Arbitration and Conciliation Act for appointment of an Arbitrator. The relevant clause in the lease deed is clause 25 which reads as under:

“25. That in the event of disputes, if any, the Lease Deed is subject to the jurisdiction of the Courts under the provisions of Arbitration Act (Amended upto date) 1996. Through mutually agreed arbitrator holding arbitration proceedings at the mutually convenient place at New Delhi /Gurgaon.”

3. Mr.Rama Shanker, learned counsel for the petitioner has drawn my attention to the notices dated December 18, 2018 and February 1, 2019 to contend as there was irregular payment of lease amount, the petitioner had issued a notice to the respondent thereby proposing the name of a retired District and Sessions Judge as a Sole Arbitrator. Unfortunately, the petitioner has received a letter dated February 25, 2019, from the counsel for

the respondent wherein the respondent has objected to the appointment of the retired District and Sessions Judge as a Sole Arbitrator. Mr.Rama Shanker states that the petitioner having no other remedy has approached this Court for appointment of a Sole Arbitrator.

4. Noting the aforesaid submission, I deem it appropriate to appoint Dr.Amit George, Advocate, as a Sole Arbitrator who shall adjudicate the *inter se* dispute between the parties.

5. The appointment of the Sole Arbitrator shall be regulated by the provisions of Arbitration and Conciliation Act, 1996.

6. Let a copy of this order be sent to Dr.Amit George for information.

7. The petition is disposed of.

V. KAMESWAR RAO, J

SEPTEMBER 06, 2019/bh