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

+ ARB.P. 348/2019 & IA 7434/2019

ZAMIL AIR CONDITIONERS INDIA PVT. LTD. Petitioner
Through: Mr. Mrinal Beri, Adv.

versus

PAWA INTERNATIONAL PRIVATE LIMITED Respondent
Through: Mr. Suresh K. Beri, Adv.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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24.09.2019

IA 7434/2019 (for exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

ARB.P. 348/2019

This petition has been filed by the petitioner under Section 11 (6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator. Service has been effected on respondent and is being represented by Mr. Suresh K. Beri, Adv.

I have heard the learned counsel for the parties.

The relevant arbitration clause being 1.17 at Page 16 of the document, reads as under:

“Any disputes or difference arising out of, from or relating to anything contained in the resulting document, shall be referred to the sole arbitration of Head. The award made by the sole arbitrator shall be binding on the parties hereto. The provisions of the

Arbitration Conciliation Act, 1996 or any statutory modification of re-enactment thereof of the being in force shall govern such arbitration. The venue of the arbitration shall be New Delhi.”

The petitioner has invoked the arbitration clause vide notice dated April 12, 2019. A reply to the said notice was received by the petitioner on April 24, 2019, whereby the respondent had disputed the stand of the petitioner in its notice.

Dispute having arisen between the parties, this court is of the view that an Arbitrator needs to be appointed. Accordingly, parties are relegated to the Delhi International Arbitration Centre for settling their inter-se disputes. The DIAC shall appoint an Arbitrator from its panel. The appointment of the Arbitrator shall be regulated by the Rules of DIAC. The parties shall be appearing before the Coordinator, DIAC on October 9, 2019. A copy of this order be sent to the Coordinator, DIAC.

The petition stands disposed of.

V. KAMESWAR RAO, J

SEPTEMBER 24, 2019/jg