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

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Date of decision: 28th November, 2019

+ ARB.P. 428/2019

PANASONIC INDIA PVT. LTD.

..... Petitioner

Through Ms. Vasundhara Nayyar, Advocate.

versus

VIRTUAL PERCEPTION (OPC) PVT. LTD.

..... Respondent

Through None.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

1. There has been no appearance on behalf of the respondent on the last two dates. The matter has been called twice, today. There is no appearance on behalf of the respondent. It seems that the respondent is not interested in defending the matter. The respondent is accordingly proceeded ex-parte.

2. The Arbitration Clause between the parties in the agreement dated 26th October, 2017 reads as under:-

“Any and all disputes, controversies and conflicts ('Disputes') arising out of this Agreement between the Parties or arising out of or relating to or in connection with this Agreement or the performance or non-performance of the rights and obligations set forth herein or the breach, termination, invalidity or interpretation thereof shall be referred for arbitration in terms of the Arbitration and Conciliation Act, 1996 or any amendments thereof. Prior to submitting the Disputes to arbitration the parties shall resolve to settle the dispute/s

through mutual negotiation and discussions. In the event that the said dispute/s are not settled within 30 days of the arising thereof, the same shall finally be settled and determined by arbitration in accordance with the Arbitration and Conciliation Act, 1996 or any amendment thereof. The place of arbitration shall be New Delhi and the language used in the arbitral proceedings shall be English. Arbitration shall be conducted by a sole arbitrator.”

3. Since the respondent has chosen not to defend the matter, the Arbitration Clause is deemed to be admitted.
4. In view of the above, Mr. Siddhartha Shankar Ray, Advocate is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
5. The address and mobile number of the learned Arbitrator is as under:

Mr. Siddhartha Shankar Ray, Advocate
Q-12B, 2nd Floor, Jangpura Extn.
New Delhi- 110014
Mobile: 9871283416
6. The learned Arbitrator shall give disclosure under Section 12 of the Act before entering upon reference.
7. Fee of the Arbitrator shall be fixed as per Fourth Schedule of the Act.
8. The petition is allowed in the aforesaid terms.

JYOTI SINGH, J

NOVEMBER 28 , 2019 /yo/