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

+ ARB.P. 737/2019

SHOP KIRANA E.TRADING PVT.LTD Petitioner
Through: Mr. Manjit Singh Ahluwalia and
Mr.Jaspreet Singh, Advocates

versus

MR AKHILESH GANDHI Respondent
Through: Mr. Jayant Chourasia, Advocate

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

% **ORDER**
08.01.2020

1. The petitioner is seeking appointment of an arbitrator under Section 11(6) of the Arbitration and Conciliation Act. The petitioner has claims to the tune of Rs.5.50 crores against the respondent.
2. The arbitration agreement between the parties is contained in clause 13 of the agreement dated 01st January, 2019.
3. The petitioner invoked the arbitration vide notice dated 22nd September, 2019. The respondent replied to the notice on 25th September, 2019.
4. The arbitration agreement and invocation notice are not disputed. The respondent has objections on merits of the case which have to be considered by the Arbitrator.
5. The petition is allowed and Mr. Justice S. K. Aggarwal, former Judge of this Court (Mobile No.9818000270) is appointed as a sole arbitrator to adjudicate the claims and counter claims between the parties.
6. The arbitration shall be conducted under the aegis of Delhi

International Arbitration Centre (DIAC).

7. The learned arbitrator shall ensure the compliance of Section 12 read with Fifth, Sixth and Seventh Schedule of Arbitration and Conciliation Act, 1996 before commencing the arbitration.
8. The fee of the learned arbitrator shall be in accordance with the Schedule of fees prescribed under the Delhi High Court Arbitration Centre (Administrative Costs and Arbitrators' Fees) Rules.
9. Copy of this order be sent to Delhi International Arbitration Centre (DIAC).
10. Copy of this order be sent to the learned arbitrator.
11. Copy of this order be given *dasti* to counsels for the parties under the signature of the Court Master.

JANUARY 08, 2020
ds

J.R. MIDHA, J.