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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ ARB.P. 109/2021

OYO HOTELS AND HOMES PRIVATE LIMITED..... Petitioner

Through: Mr. Vivek Gupta, Advocate.

versus

RIVIGO SERVICES PRIVATE LIMITED Respondent

Through: Mr. Jay Kishore Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% 05.07.2021

1. The petitioner is seeking appointment of an Arbitrator under Section 11 of the Arbitration and Conciliation Act.
2. The arbitration agreement between the parties is contained in clause 23 of the accommodation booking services agreement dated 17th April, 2017. The petitioner invoked the arbitration on 09th November, 2020.
3. The arbitration agreement between the parties and the invocation are not disputed. The petitioner has claims to the tune of more than Rs.28,00,000/-.
4. Learned counsel for the respondent submits that the respondent wants to make an endeavour to resolve the matter through mediation before commencement of the arbitration proceedings.
5. The petition is allowed and Ms. Cauveri Birbal, Advocate (Mobile No.9810017683) is appointed as a sole Arbitrator to adjudicate the disputes between the parties.

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Signing Date:06.11.2024 17:01:42
Certify that the digital and physical file have
been compared and the digital data is as per
the physical file and no page is missing.

6. However, the learned Arbitrator shall commence the arbitration proceedings after a period of eight weeks to enable the parties to make an endeavour to resolve the matter.
7. List before Delhi High Court Mediation and Conciliation Centre on 12th July, 2021 at 04:00 P.M.
8. Delhi High Court Mediation and Conciliation Centre shall send the report with respect to the mediation directly to DIAC.
9. If the matter is resolved through mediation, the parties would not be required to pay the fees of the Arbitrator. However, if the matter remains unresolved within eight weeks, the learned Arbitrator shall enter upon reference and commence the arbitration proceedings.
10. The arbitration shall be conducted under the aegis of Delhi International Arbitration Centre (DIAC).
11. The learned Arbitrator shall ensure the compliance of Section 12 read with Fifth, Sixth and Seventh Schedules of the Arbitration and Conciliation Act, 1996 before commencing the arbitration.
12. The fees of the learned Arbitrator shall be in accordance with the Schedule of fees prescribed under the Delhi International Arbitration Centre (DIAC) (Administrative Costs and Arbitrators' Fees) Rules, 2018.
13. Copy of this order be sent to the learned Arbitrator.
14. Copy of this order be sent to Delhi International Arbitration Centre (DIAC).



J.R. MIDHA, J.

JULY 05, 2021/ak