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

+ **ARB.P. 159/2021 & IA 1358/2021**

**SOFTWARE TECHNOLOGY PARKS
OF INDIA**

..... Petitioner

Through: Mr. Vinay Mohan Sharma & Ms.
Anuradha Dutta, Advs.

versus

MS L.I. DIGITAL PAYMENTS PVT. LTD. Respondent

Through: Mr. Divyakant Lahoti & Mr.
Parikshit Ahuja, Advs.

+ **ARB.P. 141/2021 & IA 1156/2021**

MS L.I. DIGITAL PAYMENTS PVT. LTD. Petitioner

Through: Mr. Divyakant Lahoti & Mr.
Parikshit Ahuja, Advs.

versus

**SOFTWARE TECHNOLOGY PARKS
OF INDIA**

..... Respondent

Through: Mr. Vinay Mohan Sharma & Ms.
Anuradha Dutta, Advs.

**CORAM:
HON'BLE MR. JUSTICE TALWANT SINGH**

ORDER

28.01.2021

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ARB.P. 159/2021, 141/2021

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Signature Not Verified

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.

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The present matter has been taken up for hearing in physical Court.

These two petitions are taken together as both the parties have filed petitions under Section 11 of Arbitration and Conciliation Act, 1996 (the Act) for appointment of an Arbitrator based upon the terms of the Agreement dated 15.02.2019. Certain disputes have arisen between the parties and the petitioner in Arbitration Petition 159/2021 has invoked the arbitration vide notice dated 16.10.2020. However, since no arbitrator was appointed, hence, both the parties have approached this Court for appointment of an Arbitrator by moving different petitions, which are heard together. Arbitration clause is reproduced hereunder:

“29. That in case of any dispute arising in the connection with the breach of any terms of this agreement or termination hereof, shall be referred to arbitration by a sole arbitrator to be appointed by the DG, STPI & the proceedings shall be governed under the Arbitration & Conciliation Act, 1996. The seat or arbitration shall be New Delhi.”

Issue notice. Both the counsel for the respondent in the respective petitions accept notice and they do not object to appointment of an Arbitrator to enter into the reference and decide the *inter-se* disputes on the basis of claim/counter claim to be filed by both the parties.

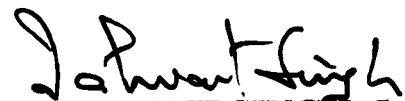
I hereby appoint Mr. Amar Nath (Mobile No. 9958697030), retired District and Sessions Judge as a sole Arbitrator to enter into the reference. The arbitration shall take place under the aegis of Delhi International Arbitration Centre (DIAC) and the rules framed by DIAC shall govern the arbitration proceedings.

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The Arbitrator shall make a declaration as per Section 12 of the Act.

A copy of this order be sent to DIAC as well as to the learned Sole Arbitrator electronically. Copies be also supplied to both the counsel.

The petitions and the applications filed therewith are disposed of accordingly.


TALWANT SINGH, J

JANUARY 28, 2021

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[Click here to check corrigendum, if any](#)