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

+ **ARB.P. 437/2021**

M/S. K. CONSTRUCTION COMPANY Petitioner
Through: **Mr.Jagjit Singh and Mr.Preet Singh, Advs.**

versus

GOVT. OF NCT OF DELHI & ANR. Respondents
Through: **Mr.Archit Krishna, Adv. on behalf of Mr.Jawahar Raja, ASC(C)-GNCTD**

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (O R A L)

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18.08.2021

(Video-Conferencing)

1. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 ("the 1996 Act"), for reference of the dispute between the parties to arbitration.

2. Mr. Archit Krishna, learned Counsel for the respondents submits that the respondents have no objection to the disputes being referred to arbitration.

3. It is not necessary, in the circumstances, to burden this order with the recital of the facts of the case. Suffice it to state that the substratum of the facts, relating to the disputes between the parties, stand set out in exhaustive detail in the petition.

4. Learned Counsel for the parties are agreeable to the matter being referred to the Delhi International Arbitration Centre (DIAC), which could appoint a suitable arbitrator to arbitrate thereon.

5. Leaving all questions of facts and law open including the question of arbitrability of the claim, limitation and all other issues, and without expressing any opinion on the legitimacy of the petitioner's claims or the right of the respondents to object thereto, the disputes stand referred to arbitration under the aegis of the DIAC. The arbitrator shall submit the requisite disclosure under Section 12(2) of the 1996 Act within a week of entering on reference. The arbitration would be conducted as per the rules and regulations of the DIAC and the arbitrator would be entitled to fees as per the schedule of fees maintained by the DIAC or as otherwise agreed in consultation with the parties.

6. The petition stands disposed of in the aforesaid terms.

C. HARI SHANKAR, J

AUGUST 18, 2021/kr