

\$~7 & 8 (original)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 573/2021 & I.A.7786/2021**

**M/S DESIGN ASSOCIATES INC A PARTNERSHIP FIRM
THROUGH PARTNER MR SUMERE DAS Petitioner**

Through: Mr. Raj Shekhar Rao, Sr. Adv.
with Mr. Arjun Dewan, Mr. Arjun
Mukherjee and Mr. Akash Arora, Advs.

versus

**EMPLOYEE STATE INSURANCE CORPORATION
THROUGH ITS NOMINATED COUNSEL Respondent**

Through: Mr. S.Wasim A. Qadri, Sr.
Adv. with Mr. V.K. Singh, Ms. Prachi
Singh, Mr. Sourav Kumar and Mr. Saeed
Qadri, Advs.

+ **ARB.P. 574/2021 & I.A.7792/2021**

**M/S DESIGN ASSOCIATES INC A PARTNERSHIP FIRM
THROUGH PARTNER MR SUMERE DAS Petitioner**

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with Mr. Arjun Dewan, Mr. Arjun
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**EMPLOYEE STATE INSURANCE CORPORATION
THROUGH ITS NOMINATED COUNSEL Respondent**

Through: Mr. S.Wasim A. Qadri, Sr.
Adv. with Mr. V.K. Singh, Ms. Prachi Singh,
Mr. Sourav Kumar and Mr. Saeed Qadri,
Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (O R A L)

% **17.11.2021**

**1. Learned Senior Counsel for parties are, *ad idem*, agreeable to
the disputes in these two petitions being referred to an arbitrator**

appointed by the Court, keeping all contentions including maintainability, arbitrability and merits of the dispute open for arguments before the learned Arbitral Tribunal.

2. In view thereof, the necessity of entering into the facts of the case is obviated.

3. The total claim in both these matters put together is stated to be in the region of about ₹ 12 crores.

4. Accordingly, the Court appoints Hon'ble Mr. Justice V.K. Shali (Retd.), a former judge of this Court [Phone No.971749500; e-mail ID: vkshali54@gmail.com], as the arbitrator to arbitrate on the dispute between the parties. The learned arbitrator shall be entitled to charge fees in accordance with the Fourth Schedule to the Arbitration & Conciliation Act, 1996. The learned Arbitrator would file the requisite disclosure under Section 12(2) of the 1996 Act within a week of entering on reference. All rights and contentions of the parties are kept open for agitation before the learned arbitrator.

5. Accordingly, these petitions alongwith pending applications stand disposed of in the aforesaid terms.

C. HARI SHANKAR, J

NOVEMBER 17, 2021/kr