

IN THE HIGH COURT OF ORISSA AT CUTTACK

ARBP No.62 of 2021

Octavo-Solution Pvt. Ltd., New Delhi* *Petitioner

Mr. Kamal Behari Panda, Advocate

-versus-

Principal Secretary-cum- Opposite Parties
Commissioner, Government of Odisha
and others

Mr. S. N. Das, ASC for Opposite Party 1 and
Mr. S. S. Mohanty, Advocate for Opposite Parties 2 and 3

**CORAM:
THE CHIEF JUSTICE**

ORDER
25.03.2022

Order No.

03. 1. Heard learned counsel for the Parties.
2. The present petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 (Act) seeks the appointment of an Arbitrator to adjudicate the disputes between the Petitioner and the Opposite Parties arising out of a Memorandum of Understanding (MoU) dated 25th January, 2016 under the Aajeevika State Skills Mission (ASSM), known as DDU-DKY between the parties.
3. The Court has already held in its order dated 11th March, 2022 in Arbitration Petition No.48 of 2021 that an identical clause as Clause-8 is in fact an Arbitration clause and, therefore, the dispute between the parties can be referred to arbitration.

4. Consequently, the Court disagrees with the objection raised by the Opposite Parties here that the aforementioned clause is not in fact an Arbitration clause.

5. Having heard learned counsel for the parties, the Court appoints **Mr. Justice Pramath Patnaik**, former judge of this Court as the sole Arbitrator to adjudicate the disputes between the parties including the claims and counter claims. The arbitration shall take place under the aegis of the High Court of Orissa Arbitration Centre.

6. The arbitration petition is disposed of accordingly. A copy of this order be communicated to the Coordinator, Orissa Arbitration Centre and the learned Arbitrator forthwith.

(Dr. S. Muralidhar)
Chief Justice

M. Panda