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

% Judgment delivered on: 18th April, 2022

+ ARB.P. 593/2021

CONTIASIA HOSPITALITY AND HR
SOLUTIONS PVT LTD

..... Petitioner

versus

THE COMMANDANT TSP VIII BATTALION Respondent

Advocates who appeared in this case:

For the Appellant: Mr. Rajesh Saxena, Advocate

For the Respondent: Mr. Sheikh F. Kalia, Advocate for Mr. D. Kumanan,
Advocate

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J

1. Petitioner seeks appointment of an Arbitral Tribunal pursuant to agreement dated 05.01.2018.

2. Learned counsel appearing for the respondent submits that petitioner had failed to make payment to the labourers who have initiated proceedings before the Labour Courts and awards are being passed against the respondent being the principal employer.

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3. He submits that on account of the passing of the award, the respondent has been made to pay the amount in excess of the amount that would have paid to the petitioner and accordingly respondent also have a counter-claim against the petitioner.

4. In view of the above and with the consent of the parties, the disputes are referred to the Delhi International Arbitration Centre (DIAC), which would appoint an arbitrator to arbitrate the claims and counter claims. The arbitration shall take place under the aegis of the DIAC in accordance with its rules and regulations.

5. The arbitrator would be entitled to charge fees in accordance with the schedule of fee stipulated by the DIAC.

6. The arbitrator shall furnish the requisite disclosure under section 12 of the Arbitration and Conciliation Act, 1996 within two week of entering reference.

7. The petition is disposed of in the above terms.

SANJEEV SACHDEVA, J

APRIL 11, 2022

‘rs’