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

+ ARB.P. 119/2024

M/S PTECH INFRA ENGINEERING

..... Petitioner

Through: Mr. Bipin Kr. Prabhat, Advocate.

versus

M/S LITE BITE FOODS PVT LTD & ANR.

..... Respondents

Through: Mr. Kuljeet Rawal, Mr. Pankaj
Chechi, Ms. Pranati Bhatnagar,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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19.03.2024

1. The petitioner has filed this petition under Section 11 of the Arbitration and Conciliation Act, 1996 [“the Act”], for appointment of a sole arbitrator to adjudicate the disputes between the parties arising out of Work Order dated 20.04.2023.
2. The Work Order contains an arbitration clause [Clause 29], which provides that all disputes arising out of the Work Order, shall be referred to a sole arbitrator as per provisions of the Act, and further provides that the place of arbitration would be at Delhi.
3. Disputes having arisen between the parties, the petitioner invoked arbitration *vide* notice dated 24.11.2023, to which no response has been received till date.
4. Pursuant to notice issued on 29.01.2024, learned counsel has



entered appearance on behalf of the respondent. Learned counsel for the respondent does not press the submission, recorded in the order dated 18.03.2024, that the invocation notice dated 24.11.2023 was not received by the respondent.

5. Learned counsel for both parties request for reference to arbitration under the aegis of Delhi International Arbitration Centre, Delhi High Court, Shershah Road, New Delhi-110503 [“DIAC”].

6. In view of the above, disputes between the parties arising out of the Work Order dated 20.04.2023, is referred to arbitration of Mr. Ketan Gaur, Advocate [Tel: 9558999496]. The arbitration proceedings will be held under the aegis of DIAC and shall be governed by the rules of DIAC, including as to remuneration of the learned Arbitrator.

7. The learned Arbitrator is requested to furnish a declaration under Section 12 of the Act, prior to entering upon the reference.

8. It is made clear that all rights and contentions of the parties on maintainability of the claims and on merits, are left open for adjudication by the learned Arbitrator.

9. The petition is disposed of in the aforesaid terms.

PRATEEK JALAN, J

MARCH 19, 2024

“Bhupi”/