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

+ ARB.P. 144/2024

GENCORP BUSINESS VENTURES LLP Petitioner
Through: Mr. Divij Soni, Advocate.

versus

AXIS BANK LTD Respondent
Through: Ms. Shalini Nair, Advocate.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
19.03.2024

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1. By way of this petition, under Section 11 of the Arbitration and Conciliation Act, 1996 ["the Act"], the petitioner seeks appointment of an arbitrator to adjudicate disputes between the parties under a Service Provider Agreement dated 23.06.2020 ["the Agreement"].
2. The Agreement contains a dispute resolution clause, which provides for settlement of disputes by a sole arbitrator. The venue of the arbitration has been designated as Mumbai/New Delhi.
3. Disputes having arisen between parties, the petitioner invoked arbitration by a legal notice dated 23.06.2023, to which no response was received. It has, therefore, filed the present petition under Section 11 of the Act.
4. Ms. Shalini Nair, learned counsel, enters appearance on behalf of the respondent, and states that the respondent has no objection to the



appointment of an arbitrator.

5. I am *prima facie* satisfied regarding the existence of the arbitration agreement and invocation thereof.

6. Having regard to the above, the petition is disposed of by referring the disputes between the parties to the arbitration of Hon'ble Mr. Justice Jayant Nath, former Judge of this Court [Tel: 8527959494].

7. The remuneration of the learned Arbitrator will be computed under 4th Schedule of the Act. The learned Arbitrator is requested to furnish a declaration under Section 12 of the Act, prior to entering upon the reference.

8. All rights and contentions of the parties in the arbitral proceedings are left open.

9. The petition stands disposed of.

PRATEEK JALAN, J

MARCH 19, 2024
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