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

+ **ARB.P. 192/2024**

TERRESTRIAL FOODS LIMITED

..... Petitioner

Through: Mr. Vishwanathan Iyer, Ms. Pooja
Sharma and Mr. Yeshasvi
Shrivastava, Advocates.

versus

GRTS FOODS PRIVATE LIMITED AND ORS. Respondents

Through: Mr. M.S. Sharma, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

21.05.2024

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1. The present petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator to adjudicate the disputes between the parties.
2. Notice in the present petition was issued on 12th February, 2024.
3. Counsel appearing on behalf of the respondents submits that they do not wish to file a reply and the petition can be disposed of at this stage.
4. The arbitration clause is contained in the agreement between the parties executed on 6th November, 2019 (Clause 12).
5. Counsel for the petitioner has drawn my attention to the legal notice dated 19th May, 2023, whereby the petitioner has invoked the arbitration clause.
6. Even though the aforesaid arbitration clause envisages a three-



member Arbitral Tribunal, counsels on behalf of the parties jointly submit, that taking into account the disputed amounts involved, a sole independent arbitrator may be appointed by the Court.

7. In view thereof, the present petition is allowed and the following directions are issued in this regard:

- i. Ms. Seema Dolo, Advocate [+91-9711234081] is appointed as the sole arbitrator to adjudicate the disputes between the parties.
 - ii. The arbitration will be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter referred to as the 'DIAC').
 - iii. The remuneration of the learned Arbitrator shall be in terms of the DIAC Rules.
 - iv. The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
 - v. The parties shall approach the learned Arbitrator within two weeks from today.
8. Copy of this order be sent to the Secretary, DIAC at email id- delhiarbitrationcentre@gmail.com.
9. The petition is disposed of, in the aforesaid terms.

AMIT BANSAL, J

MAY 21, 2024

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