



\$~2

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

+ **ARB.P. 215/2023**

PAJSALO DIGITAL LIMITED

..... Petitioner

Through: Mr P Nagesh, Sr. Adv. with
Mr Harshal Kumar, Adv.

versus

M/S JAY TEL MOBILE PRIVATE LIMITED & ORS.

..... Respondents

Through: Mr A.K. Singla, Sr. Adv. with Mr
Parmanand Yadav, Ms Sonia
Khandelwal and Mr Mohit Arora,
Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

23.04.2024

%

1. This is a petition under Section 11(6) of the Arbitration & Conciliation Act, 1996 seeking appointment of an Arbitrator for adjudication of disputes between the parties.
2. Mr Singla, learned senior counsel for the respondents on instructions states that as far as the appointment of an Arbitrator is concerned, he has no opposition provided all his issues in law and facts are kept open to be decided by the learned Sole Arbitrator. In addition, Mr Singla also states that there are numerous disputes pending between the parties and it will be in the interest of both parties if they are referred to mediation to work out a viable solution for all the disputes.
3. The submissions of Mr Singla are fair and reasonable. For the said



reasons, I am inclined to allow the petition. Since the parties are still having disputes between them, the following directions are issued:-

- i) Mr. Siddharth Sharma, Advocate (Mob. No. 7400111111) is appointed as a 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'). The remuneration of the learned Arbitrator shall be in terms of the Fourth Schedule of the Arbitration & Conciliation Act, 1996.
- iii) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
- iv) It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claim, any other preliminary objection, as well as claims on merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.
- v) The learned arbitrator will not enter reference for a period of 12 weeks from today in order to enable the parties to explore a possibility of settlement. The parties are referred to Delhi High Court Mediation and Conciliation Centre for the said purposes and shall appear before Delhi High Court Mediation and Conciliation Centre on 29.04.2024 at 04:00 p.m. The Delhi High Court Mediation and Conciliation Centre is requested to appoint a senior mediator. In case the disputes are not settled within a



period of 12 weeks from 29.04.2024, the learned arbitrator will enter reference within one week thereafter.

4. The petition is allowed and disposed of in the aforesaid terms.

JASMEET SINGH, J

APRIL 23, 2024

sr

[Click here to check corrigendum, if any](#)