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

+ **ARB.P. 218/2024**

**AJAY KUMAR DANGRE**

..... Petitioner

Through: **Mr. Tushar Roy, Advocate**

versus

**SANDEEP KUMAR**

..... Respondent

Through: **Mr. Sidharth Pandit, Mr. Vishwa  
Prakash Rai and Mr. Vipin Kumar,  
Advocates**

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

**25.04.2024**

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1. Petition under Section 11 of the Arbitration and Conciliation Act, 1996 has been filed seeking appointment of the Arbitrator.
2. It is submitted in the petition that the parties constituted a partnership firm *vide* Partnership Deed dated 12.12.2020.
3. Consequent to the execution of this partnership, the petitioner was assured that documents necessary for the partnership shall be taken care by the respondent.
4. The petitioner had deposited Rs.60,00,000/- with the respondent for carrying put the business of M/S Shubham Infrastructure & Associates. This amount was paid in instalments from 14.12.2020 till 05.04.2022. However, the respondent failed to get any legal documents executed. Evidently, the petitioner sought return of this money but the respondent failed to return the money. Disputes arose *inter se* the parties. The petitioner filed the petition under Section 156(3)CRPC against the respondent before the learned MM, Rohini. He also sent Notice dated 19.10.2023 invoking the Arbitration clause as per the Partnership Deed and also nominated an advocate as the



Arbitrator.

5. However, despite receiving the Notice, the respondent has failed to initiate the process of the Arbitration and hence, the present petition has been filed.

6. Learned counsel on behalf of the respondents submits that there is no objection to the appointment of the learned Arbitrator.

**7. Submissions heard.**

8. Considering that there is a valid Arbitration clause and disputes have arisen *inter se* the parties, Ms. Sangeeta Sondhi, Advocate(Mobile-9810224382) is hereby appointed as the Arbitrator.

9. The parties are at liberty to raise their respective objections before the Arbitrator.

10. This is subject to the Arbitrator making necessary disclosure as under Section 12(1) of A&C Act, 1996 and not being ineligible under Section 12(5) of the A&C Act, 1996.

11. The fees of the learned Arbitrator would be fixed in accordance with the Fourth Schedule to A&C Act, 1996 or as consented by the parties.

12. Learned counsels for the parties are directed to contact the learned Arbitrator within one week of being communicated a copy of this Order to them by the Registry.

13. A copy of this Order be also forwarded to the learned Arbitrator, for information.

14. The petition is accordingly disposed of in the above terms.

**NEENA BANSAL KRISHNA, J**

**APRIL 25, 2024/PT**