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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 229/2024

MAX ROYAL APARTMENT OWNERS ASSOCIATION

..... Petitioner

Through: Mr. Umang Gangwar, Adv.

versus

KONARK ENGINEERING

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

14.05.2024

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1. This is a petition filed under Section 11 of the Arbitration and Conciliation Act, 1996 seeking appointment of a Sole Arbitrator to adjudicate the disputes between the parties.
2. The arbitration clause is contained as Clause 16 in the Work Order dated 22.09.2022 and reads as under:-

“16. In case of any dispute/ disputes arises out of the contract then the parties will try and resolve the matter mutually and if all efforts fail, an Independent Arbitrator will be .appointed with the consent of both the parties under the arbitration and conciliation act 1996. The place or arbitration will be Noida/Delhi.”

3. Since there were disputes between the parties, the petitioner invoked arbitration vide Legal Notice dated 22.12.2023.
4. The petitioner filed the present petition and on 21.02.2024, this Court was pleased to issue notice to the respondent.



5. As per the service report, the respondent has been served. Despite service, there is no appearance on behalf of the respondent.
6. For the said reasons, the petition is allowed. The Delhi International Arbitration Centre is requested to appoint a Sole Arbitrator for the purpose of adjudication of disputes between the parties.
7. 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').
8. The remuneration of the learned Arbitrator shall be in terms of the Fourth Schedule of the Arbitration & Conciliation Act, 1996.
9. The petition is allowed and disposed of.

JASMEET SINGH, J

MAY 14, 2024/NG

Click here to check corrigendum, if any