



2024:DHC:6954



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

+ **ARB.P. 235/2024**

SANVIK ENGINEERS INDIA PVT LTDPetitioner
Through: **Mr. Zubin John, Adv.**

versus

DEVYANI INTERNATIONAL LTDRespondent
Through: **Mr. Gaurav Raj Grover, Adv.**

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (ORAL)
06.09.2024

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1. The reply filed by the respondent is not on record. However, Mr. Gaurav Raj Grover, learned Counsel for the respondent, on being queried by the court, submits that his client has no objection to the disputes being referred to arbitration.

2. The dispute between the parties arises out of a lease deed dated 23 December 2022, which envisaged, in the following clause, resolution of disputes by arbitration:

“13. Arbitration

13.1 Any dispute or difference arising between the Parties shall be resolved amicably at the first instance. Unresolved disputes, shall be submitted to arbitration to a sole arbitrator. The arbitration shall be conducted in accordance with the provisions of the Arbitration and Conciliation Act 1996 along with the Rules there under and any amendments thereto. The arbitration shall be conducted in English. The decision/award of the arbitrator shall be final/conclusive and binding on the Parties. The seat and venue of the arbitration shall be at New Delhi.”

3. On 11 January 2024, the petitioner addressed a notice to the

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respondent under Section 21 of the 1996 Act, seeking reference of the disputes between the parties to arbitration. The respondent did not reply to the said notice. The petitioner has, therefore, approached this Court under Section 11(5) of the 1996 Act.

4. As already noticed, learned counsel for the respondent has no objection to the reference of the dispute to arbitration.

5. The claim of the petitioner against the respondent is in the region of ₹ 17 lakhs.

6. Accordingly, this Court appoints Mr. Piyush Sharma, Advocate (Tel: 9810222509) as the arbitrator to arbitrate on the dispute between the parties.

7. The arbitrator shall be entitled to charge fees as per the Fourth Scheule to the 1996 Act

8. The arbitrator is also requested to file requisite disclosure under Section 12(2) of the 1996 Act within a week of entering on the reference.

9. The petition stands allowed in the aforesaid terms.

C.HARI SHANKAR, J

SEPTEMBER 6, 2024/dsn

Click here to check corrigendum, if any

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