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

+ **ARB.P. 351/2024**

ALTF SPACES PRIVATE LIMITED

..... Petitioner

Through: Mr. Abhay Pratap Singh and Ms.
Mitali U., Advs.

versus

ELEMENTS HR SERVICES PRIVATE LIMITED

..... Respondent

Through: Ms. Sanjana Mehrotra, Mr. Mayank
Sharma and Mr. Vardhman Kaushik,
Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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21.05.2024

1. The present petition has been filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 (hereinafter “the Act”) seeking appointment of a sole arbitrator.
2. Notice in the present petition was issued on 12th March, 2024.
3. The Petitioner company is engaged in the business of operating and managing office spaces and co-working spaces and other ancillaries services. The respondent company had approached the petitioner company to avail its services.
4. The Arbitration Clause is contained in Clause 21 of the ‘Terms of Use’ of the ‘Joining Form’ of the petitioner company which was duly filled and submitted by the respondent company to the petitioner company *vide* e-mail dated 30th November, 2022.

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5. The Arbitration clause was invoked by the petitioner company *vide* e-mail dated 21st June, 2023.
6. The respondent, in its reply dated 20th July, 2023 acknowledged the dispute between the parties and proposed names of persons who may be appointed as arbitrators.
7. Mr. Mayank Sharma, counsel appearing on behalf of the respondent submits that he has no objection if an independent arbitrator is appointed by this Court.
8. In view of the aforesaid, the present petition is allowed and the following directions are issued in this regard:
 - i. Mr. Aman Rewaria, Advocate (+91 7838669125) is appointed as the sole arbitrator to adjudicate the disputes between the parties.
 - ii. The remuneration of the learned Arbitrator shall be in terms of the Fourth Schedule of the Act.
 - 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. The parties shall approach the learned Arbitrator within two weeks from today.
9. Accordingly, the present petition stands disposed of.

AMIT BANSAL, J

MAY 21, 2024/ss