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

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ARB.P. 409/2024 & I.A. 6829/2024  
AMAZON SELLER SERVICES PRIVATE  
LIMITED

..... Petitioner

Through: Mr. Angad Singh Makkar, Mr.  
Manas Raghuvanshi, Advocates.

versus

GILLZ NETWORK THROUGH ITS PROPRIETOR  
MR. KARAJ GILL

..... Respondent

Through: Mr. Nizam Pasha, Ms. Aayushi  
Mishra, Mr. Sachin Dubey,  
Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

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**02.05.2024**

1. The petitioner has filed the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 [“the Act”] for appointment of an arbitrator to adjudicate disputes between the parties under a Master Video License Agreement dated 24.10.2019 [“the Agreement”] with an addendum dated 24.10.2019 and amendment thereto dated 01.07.2020.
2. The Agreement contains a dispute resolution clause which provides for arbitration [Clause 17]. Delhi has been stated to be the venue of the arbitration and Courts in Delhi have also been vested with jurisdiction.
3. Disputes having arisen between the parties, the petitioner invoked arbitration by notice dated 22.01.2024. Although the respondent



addressed an interim reply dated 04.03.2024, the parties have not achieved consensus as to the reference.

4. Notice was issued in the petition on 22.03.2024 when Mr. Nizam Pasha, learned counsel, accepted notice on behalf of the respondent. Although time was granted to file a reply, no reply has been filed.

5. Mr. Pasha submits that there is no dispute as to the existence of an arbitration clause in the Agreement, but that parties are making an effort to settle the disputes amongst themselves.

6. Learned counsel for the parties jointly submit that the disputes may be referred to mediation so that an attempt can be made to resolve their disputes mutually.

7. Having regard to the above submissions and with the consent of learned counsel for the parties, the petition is disposed of with the following directions:-

- A. The parties are referred to mediation under the aegis of Samadhan, Delhi High Court Mediation and Conciliation Centre, Shershah Road, New Delhi-110503.
- B. The parties will appear before the learned Mediator on 09.05.2024.
- C. In the event the mediation proceedings are unsuccessful, the disputes will be adjudicated by the arbitration of Ms. Bimla Makin, former Additional District Judge [Tel:- 9910384624].
- D. The arbitration proceedings will be held under the aegis of Delhi International Arbitration Centre, Delhi High Court, Shershah Road, New Delhi [“DIAC”] and will be governed by the Rules of DIAC, including as to remuneration of the learned Arbitrator.
- E. The learned Arbitrator is requested to furnish a declaration under



Section 12 of the Act, prior to entering upon the reference.

F. DIAC is requested to defer the proceedings for a period of eight weeks from today to enable parties to attempt a mediated settlement. After the expiry of eight weeks, either party may approach DIAC to enter into the reference. If the parties require further time for settlement, DIAC may defer the reference further, on the joint request of the parties.

8. It is made clear that all rights and contentions of the parties are left open for adjudication by the learned Arbitrator.

**PRATEEK JALAN, J**

**MAY 2, 2024**

*“Bhupi”/*