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

+ ARB.P. 487/2023

M/S KRISH TRADERS

.....Petitioner

Through: Mr. Vinod Kumar Verma,
Advocate.

versus

M/S YAWEDO ARTS PVT LTD

.....Respondent

Through: Mr. Aman Leekha, and
Ms. Nikita Sarma, Advocates.

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

23.07.2024

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1. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator to arbitrate on the disputes between the parties.

2. The disputes arise in the context of an agreement of foundation, construction and fabrication agreement dated 27 January 2020 executed between the parties. The agreement envisages resolution of disputes through arbitration by an Arbitrator appointed by mutual consent.

3. Consequent to the dispute arising, the petitioner addressed a notice under Section 21 of the Arbitration and Conciliation Act, 1996 to the respondent on 3 January 2023, seeking to invoke arbitration.

4. No response was received from the respondent. The petitioner has, therefore, approached this Court under Section 11 (6) of the



Arbitration and Conciliation Act, 1996.

5. Learned counsel for the respondent has no objection to the matter being referred to arbitration.

6. Both learned counsels are agreeable to the arbitration being conducted under the aegis of Delhi International Arbitration Centre (DIAC).

7. Accordingly, the disputes are referred to DIAC, which would proceed to appoint an Arbitrator to arbitrate thereon. The arbitration shall take place under the aegis of the DIAC and the learned Arbitrator shall be entitled to fee as per the schedule of fee maintained by the DIAC.

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

9. The petition stands disposed of in the aforesaid terms.

10. The rights and contention of both sides shall remain opened to be urged in arbitration. This Court has not expressed any opinion on the merits of this matter.

C.HARI SHANKAR, J

JULY 23, 2024

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[Click here to check corrigendum, if any](#)