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

+ **ARB.P. 450/2024**

PVR INOX PVT LTD

..... Petitioner

Through: Mr. Abhishek Sharma, Mr. P.S.
Sandhu and Mr. Mayank Ahuja,
Advocates

versus

SHRI SAI CORP & ORS.

..... Respondents

Through: None

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

16.05.2024

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1. The present petition has been filed on behalf of the petitioner under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator in terms of the Arbitration clause, as contained in Clause 7(y) of the Memorandum of Understanding dated 09.02.2016.
2. Disputes arose between the parties and the petitioner issued a notice of invocation dated 14.06.2023. However, the respondents failed to give a reply to the same. Hence, the present petition has been filed for appointment of the Arbitrator.
3. Notice of the petition has been served on the respondents through e-mail for which an affidavit of service has also been filed. However, despite service, none has appeared on behalf of the respondents.
4. **Submissions heard.**
5. Considering that there is a valid Agreement *inter se* the parties



containing an Arbitration Clause and the disputes are claimed to have arisen under the Agreement, Ms. Neeru Vaid, Advocate (Mobile No. 9582619834), is hereby appointed as the Arbitrator, to adjudicate the disputes between the parties.

6. The parties are at liberty to raise their respective objections before the Arbitrator.

7. The fees of the learned Arbitrator would be fixed in accordance with the IV Schedule to the Act, 1996 or as consented by the parties.

8. This is subject to the Arbitrator making necessary disclosure as under Section 12(1) of A&C Act, 1996 and not being ineligible under Section 12(5) of the A&C Act, 1996.

9. Accordingly, the petition is accordingly allowed and disposed of.

NEENA BANSAL KRISHNA, J

MAY 16, 2024/PT