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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 470/2024

SARVESH SECURITY SERVICES PVT. LTD.Petitioner

Through: Mr. Sarvesh Singh, Ms. Rajeshwari
Mitra, Advs.

versus

**NATIONAL TECHNICAL RESEARCH ORGANIZATION AND
ANR.Respondents**

Through: Mr. Bhagvan Swarup Shukla, CGSC
with Mr. Sarvan Kumar, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
20.09.2024

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1. This order is passed in continuation of the order dated 20.08.2024.
2. On 20.08.2024, the learned CGSC had urged that before invoking arbitration, the parties should have tried to settle their disputes amicably as envisaged in Clause 16 of the General Conditions of Contract.
3. Therefore, on 20.08.2024, the learned counsel for the petitioner had stated that without prejudice the representative of the petitioner would visit the office of the respondent for the purposes of the amicable settlement.
4. Pursuant to the said order, the parties met on 28.08.2024 and the minutes of the meeting have been handed over in Court today and the same is taken on record.
5. I am satisfied that the pre condition of the arbitration agreement has been complied with the parties as envisaged under Clause 16 of the General



Conditions of Contract and the parties have had the opportunity to try and settle their disputes amicably.

6. Mr. Shukla, learned CGSC states that according to the respondent, the dispute is only subsisting to the tune of Rs. 68 lakhs, however, Ms. Mitra, learned counsel for the petitioner states that even assuming and not admitting that some payments have been made by the respondent, a sum of about Rs. 1 crore is due and payable.

7. For the said reasons and in view of the disputes subsisting between the parties, the petition is allowed and the following directions are issued:-

- i) Mr. Sunil K. Goel, (Adv.) (Mob. No. 9811267343) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
- ii) The arbitration will be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter, referred to as the 'DIAC').
- iii) The remuneration of the learned Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.
- iv) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
- v) It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claim, any other preliminary objection, as well as claims/counter-claims and merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.



- vi) The parties shall approach the learned Arbitrator within two weeks from today.

JASMEET SINGH, J

SEPTEMBER 20, 2024/NG