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

+ **ARB.P. 474/2024**

ARMY WELFARE HOUSING ORGANISATIONPetitioner

Through: **Mr Gaurav Sharma and Mr Paranjay
Tripathi, Advs.**

versus

M/S SILPA PROJECTS AND INFRASTRUCTURE PVT. LTD.

.....Respondent

Through: **Mr Aditya Sikka, Adv.**

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

10.07.2024

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1. This is a petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of a Sole Arbitrator to adjudicate the disputes between the parties.
2. The arbitration clause is Clause 172 of the General Conditions of Contract (GCC) dated 12.03.2013. The petitioner invoked arbitration *vide* notice dated 23.02.2024.
3. Mr Sikka, learned counsel appears for the respondent and does not dispute the arbitration clause and has no objection to the appointment of an Arbitrator, provided the rights and contentions of the respondent are left open.
4. For the said reasons, the petition is allowed. Since the parties are still having disputes between them, the following directions are issued:-



- i) Mr. Justice Rajiv Sahai Endlaw (Retd.) (Mob. No. 9717495002) 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'). The remuneration of the learned Arbitrator shall be in terms of the Fourth Schedule of the Arbitration & Conciliation Act, 1996.
 - 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) 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 on merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.
 - v) The parties shall approach the learned Arbitrator within two weeks from today.
5. The petition is allowed and disposed of in the aforesaid terms.

JASMEET SINGH, J

JULY 10, 2024

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Click here to check corrigendum, if any