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

+ ARB.P. 623/2024 & I.A. 10734/2024

ROYAL INDIA VACATION PVT. LTD. Petitioner
Through: Mr. Manoj Singh, Mr. Abhay
Singh, Advocates.

versus

M/S. GOYAL GROUP OF HOTELS (PARTNERSHIP FIRM) &
ANR. Respondents
Through: Mr. Ankur Garg, Ms. Priyanka
Sachdeva, Mr. Nipun Manocha,
Mr. Aarsh Thakkar, Advocates.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
10.05.2024

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1. The petitioner has filed this 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 an agreement dated 15.11.2022 entitled ‘*Hotel/Resort Management Operation Agreement*’.
2. Clause 15 of the agreement contains a provision for resolution of disputes by arbitration. The venue of the arbitration is stated to be New Delhi. Exclusive jurisdiction has also been vested in the Courts in Delhi.
3. Disputes having arisen between the parties, the petitioner invoked arbitration by a legal notice dated 24.03.2024. In its response, through



counsel, dated 22.04.2024, the respondents did not deny the existence of the arbitration clause, but disputed the claims on merits.

4. Mr. Ankur Garg, learned counsel for the respondents, appears on advance notice, and states that the respondents have no objection to the appointment of the arbitrator. In fact, it is submitted that the respondents have counter claims which they would like to assert in the arbitration proceedings.

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

A. The disputes between the parties (including claims and counter claims) are referred to the arbitration of Hon'ble Ms. Justice Pratibha Rani, former Judge of this Court [Tel: 9910384626]

B. The arbitration will be conducted under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Shershah Road, New Delhi ["DIAC"], and will be governed by the Rules of DIAC, including as to the remuneration of the learned Arbitrator.

C. The learned Arbitrator is requested to furnish a declaration under Section 12 of the Act, prior to entering upon the reference.

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

7. The petition is disposed of in terms of the above.

PRATEEK JALAN, J

MAY 10, 2024

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