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

+ ARB.P. 693/2024

BIFCO LEASING AND FINANCE
PRIVATE LIMITED

.....Petitioner

Through: Ms. Alisha K. Shail, Advocate.

versus

SAVITRI TOURS AND TRAVELS & ORS.Respondents

Through: Appearance not given.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **10.09.2024**

I.A. 29749/2024 (for condonation of delay in refiling the petition)

The petitioner seeks condonation of 15 days delay in refiling the petition.

For the reasons stated in the application, the application is allowed and the delay is condoned.

ARB.P. 693/2024

1. By way of this petition under Section 11 of the Arbitration and Conciliation Act, 1996 [“the Act”], the petitioner seeks appointment of an arbitrator to adjudicate disputes between the parties under two loan agreements dated 22.02.2022 and 16.09.2022.

2. Learned counsel appears on behalf of the respondent pursuant to notice issued on 20.05.2024, and submits that the respondents have no objection to the appointment of an arbitrator for this purpose.



3. In view of the above, the petition is allowed and the disputes between the parties under the two loan agreements dated 22.02.2022 and 16.09.2022 are referred to arbitration under the aegis of Delhi International Arbitration Centre [“DIAC”] and will be governed by the Rules of DIAC, including as to remuneration of the learned arbitrator. DIAC is requested to nominate an arbitrator from its panel.
4. The learned arbitrator is requested to furnish a declaration under Section 12 of the Act, prior to entering upon the reference.
5. All rights and contentions of the parties, including arbitrability, maintainability of the claims and on merits, are left open for adjudication by the learned arbitrator.
6. The petition stands disposed of in these terms.

PRATEEK JALAN, J

SEPTEMBER 10, 2024

‘Bhupi’/