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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 832/2023**
DEV BHUMI COLD CHAIN PVT. LTD.

..... Petitioner

Through:

versus

DO-ALL ENGINEERING INDUSTRIES

..... Respondent

Through: Mr. Udai Khanna, Mr. Shivank Patna,
Mr. Bipin Kalappa, Advs.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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31.01.2024

1. This is a petition seeking appointment of an Arbitrator arising out of an agreement dated 18.09.2019.
2. The arbitration Clause is contained at Clause 7.24 which reads as under:-

“7.24. DISPUTES

All questions, disputes or differences whatsoever which may at any time arise between the Seller and the Buyer may be referred to arbitration in accordance with the provisions of Arbitration and Conciliation Act, 1996 or any re-enactment or statutory modification thereof for the time being in force. The award of the Arbitrator/s shall be binding on both the parties.”

3. Since the parties are still having disputes between them, the petition is allowed. The following directions are issued:-



- i) Justice Vipin Sanghi (Retd. Chief Justice of Uttarakhand High Court) (Mob. No. 9871300037) 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.
4. The petition is allowed and disposed of in the aforesaid terms.

JASMEET SINGH, J

JANUARY 31, 2024 / (MS)

[Click here to check corrigendum, if any](#)