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

+ **ARB.P. 751/2024**

RAM GOPAL GUPTA

..... Petitioner

Through: Mr. Avinash K Trivedi Mr. Anurag
Kaushik, Advs.(VC)

versus

I AND FC DEPARTMENT GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr.Shashi Pratap Singh, Mr. Sparsh
Agarwal, Ms. Urvashi, Advs. with
Mr. Praveen Pawar, JE

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

27.05.2024

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I.A. 30392/2024 (exemption)

Exemption is allowed subject to all just exceptions.

Application stands disposed of.

ARB.P. 751/2024

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of sole arbitrator for adjudication of disputes *inter se* the parties. The parties have entered into the agreement dated 14.06.2024 vide which the tender for execution of the work of “providing Sanitary Pit-2 in Uttam Nagar Assembly Constituency” was accepted by the respondent. The clause-25 provides resolution of disputes through arbitration with the



jurisdiction at Delhi. The clause of arbitration has been invoked vide notice dated 27.02.2024.

2. Issue notice.
3. Mr. Shashi Pratap Singh, learned counsel for the respondent has accepted the notice.
4. Learned counsel for the respondent submits that the sole arbitrator may be appointed for adjudication of disputes.
5. Considering that both the parties have consented to the reference to the arbitral tribunal, the present petition is disposed of with the following directions:
 - i) The disputes between the parties under the said agreement are referred to the arbitral tribunal.
 - ii) As agreed by both the counsels for the parties, Mr. Pradeep Gahalot, Advocate, (Mobile Nos.8899999940/9910004838) is appointed as an Arbitrator to adjudicate the disputes between the parties.
 - iii) 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 fee rules of the DIAC Schedule or as the parties may agree.
 - 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 on 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.

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

DINESH KUMAR SHARMA, J

MAY 27, 2024

Pallavi