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

+ **ARB.P. 773/2024**

RAJ KUMAR AGGARWAL

.....Petitioner

Through: Mr. Varun Chandiok, Ms. Anubhi
Goyal, Advs.

versus

MADHU AGGARWAL

.....Respondent

Through: Mr. Aditya Laroyia, Ms. Sunakshi
Gupta, Ms. Ananya Bhardwaj, Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **24.07.2024**

1. This is a petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of a Sole Arbitrator.
2. The parties entered into an agreement dated 22.04.2023. The agreement contained an arbitration clause as clause No. 4 which reads as under:-

“4. That in the eventuality of any dispute in between the parties on any matter incidental thereof the same shall be referred to any arbitrator appointed mutually and the decision of the arbitrator shall be final and binding in between the parties.”
3. Since there were disputes, the petitioner invoked arbitration vide legal notice dated 18.03.2024.
4. Mr. Laroyia, learned counsel for the respondent has no objection to the petition being allowed and a Sole Arbitrator being appointed.
5. For the said reasons, the petition is allowed and the following directions are issued:-
 - i) Ms. Vijaya Singh, Advocate (Mob. No. 9810440939) 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/counter-claims and 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.

6. The petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

JULY 24, 2024 / (MS)

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