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

+ **ARB.P. 801/2024**

DELHI INTERNATIONAL AIRPORT LTD Petitioner

Through: Mr. Prashant Sivranjan, Mr.
Justine George, Mr. Tushar Saigal,
Ms. Sephali Svati, Advocates.

versus

INFORMATION TV PVT LTD Respondent

Through: Ms. Shweta Pandey, Advocate.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **30.05.2024**

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 a License Agreement dated 28.02.2017 read with an Amendment Agreement dated 30.11.2018.

2. The License Agreement provides for resolution of disputes by arbitration [Clause 18]. The said clause provides for Delhi as the venue and seat of arbitration, and exclusive jurisdiction has also been vested in the Courts of Delhi. Clause 5 of the Amendment Agreement adopts the provisions of Clause 18 of the License Agreement in entirety.

3. Disputes having arisen between the parties, the petitioner invoked arbitration by a communication dated 30.09.2022. The notice failed to elicit a response.



4. Ms. Shweta Pandey, learned counsel, appears on behalf of the respondent on advance notice and submits that the disputes may be referred to arbitration, without prejudice to the rights and contentions of the parties, reserving the rights of the respondent to file any counter claims or seek any remedies before the arbitrator.

5. In view of the above, the petition is disposed of with the following directions:

A. The disputes between the parties, under the License Agreement dated 28.02.2017 read with the Amendment Agreement dated 30.11.2018, are referred to arbitration of Mr. Ashish Mohan, Advocate [Tel: 9910946968].

B. The arbitration will be held under the aegis of Delhi International Arbitration Centre, Sher Shah Road, New Delhi-110503 [“DIAC”], and will be governed by the Rules of DIAC, including as to 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. All rights and contentions of the parties are left open for adjudication by the learned Arbitrator.

PRATEEK JALAN, J

MAY 30, 2024

“Bhupi”/