



\$~2

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

ARB.P. 1033/2022

MAHESH PREFAB PRIVATE LIMITD

..... Petitioner

Through: Mr. Rajnish Kumar Gaind with
Himanshu Gupta, Advocates (M-
9810262633)

versus

M/S SIMPLEX INFRASTRUCTURE PRIVATE LIMITED

& ANR.

..... Respondents

Through: Mr Rajiv Nayar, Sr. Adv. with Mr.
Amit Kumar, Mr Tarun Sharma &
Ms Palak Sharma, Advs. for R-2.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

%

01.03.2024

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- Mahesh Prefab Private Limited under Section 11 of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator to adjudicate the disputes between the parties, in terms of Clause 22 of the Work-Order Agreement dated 2nd January, 2017. The said work order was for supply and installation of GRC in several towers for the Residential Housing Project '*The Ultima*' of Respondent No. 2- DLF Limited.
3. On 15th January, 2024 after having heard this matter for some time, it was noticed that the total claim of the Petitioner is itself Rs.19.58 lakhs. According to Id. Counsel, Respondent No.1- Simplex Infrastructure Private Limited, has agreed to pay Rs.8.41 lakhs on the basis of the certification by DLF. Therefore, the value of the dispute is only between Rs.8 lakhs to Rs.10 lakhs.



4. On the last date *i.e.*, 15th January, 2024, after considering the amount involved in the matter, the General Counsel, DLF Ltd. - Ms. Poonam Madan was appointed as the Mediator. The mediation proceedings took place on 29th February, 2024 and a settlement has been arrived at.
5. The Court has perused the agreement which has been passed across to the Court. The Respondents have agreed to make the payment in terms of the settlement within a period of two weeks. In view of the settlement agreement, no further disputes would survive in this matter for reference to arbitration. It is made clear that if the Respondents do not honor the settlement, the Petitioner is permitted to seek restoration of the present petition.
6. The minutes of the mediation proceedings are retained with the Court Master for a period of one month.
7. Petition is disposed of as settled. All pending applications are also disposed of.

PRATHIBA M. SINGH, J

MARCH 1, 2024

Rahul/ks