



\$~3

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

ARB.P. 897/2023 & I.A. 16694/2023

ADISRI BUSINESS SERVICES PVT LTD

..... Petitioner

Through: Mr. Ramit Malhotra, Advocate.

versus

FOOTPRINTS CHILDCARE PVT LTD & ANR. Respondents

Through: Mr. Anshul Rai & Mr. Ravi
Lochan Daliparth, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

05.02.2024

1. The petitioner has filed this petition under Section 11 of the Arbitration and Conciliation Act, 1996 [“the Act”], seeking appointment of an arbitrator to adjudicate disputes between the parties under a document dated 18.07.2022, entitled “Indicative Term Sheet”. The document is signed by the representatives of both parties and contains a dispute resolution clause which provides for arbitration. New Delhi has been designated as the place of arbitration.
2. Disputes having arisen between the parties, arbitration was invoked by a communication dated 08.05.2023. The respondents also replied to the invocation notice, but parties could not reach consensus on the appointment of an arbitrator.
3. Earlier, a dispute was raised with regard to the stamping of the



document and I am informed that the agreement has now been adequately stamped.

4. Mr. Anshul Rai, learned counsel appearing on behalf of the respondents, submits that there is no objection to the appointment of an arbitrator.

5. In view of the submissions of learned counsels for the parties, the disputes under the Indicative Term Sheet dated 18.07.2022 are referred to arbitration under the aegis of Delhi International Arbitration Centre, Shershah Road, New Delhi-110503 [“DIAC”]. DIAC is requested to appoint an arbitrator from its panel.

6. The arbitration proceedings will be governed by the Rules of DIAC, including as to remuneration of the learned Arbitrator. The learned Arbitrator is requested to furnish a declaration under Section 12 of the Act, prior to entering upon the reference.

7. It is made clear that this Court has not adjudicated the rights and contentions of the parties on merits, which are reserved for adjudication by the learned Arbitrator.

8. The petition, alongwith pending applications, stands disposed of.

9. The original Indicative Term Sheet filed with the Court may be returned to the learned counsel for the petitioner.

PRATEEK JALAN, J

FEBRUARY 5, 2024

‘pv’ /