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

+ **ARB.P. 1003/2024**

AJAY KUMAR RASTOGI

.....Petitioner

Through: Mr. Rahul Gupta, Mr. Arav Kapoor,
Mr. Raghwendra Pratap Rao and Mr.
Mridul Vats, Advs.

versus

ASIAN HOTELS NORTH LIMITED

.....Respondent

Through: Mr. Saurabh Kripal, Sr. Adv. Ms.
Aakansha Kaul, Mr. Satya Sabharwal
and Mr. Aman Sahani, Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

11.07.2024

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I.A. 32954/2024-EX.

1. Exemption is granted subject to all just exceptions.
2. The petitioner shall file legible and clearer copies of exempted documents, compliant with practice rules before the next date of hearing.
3. The application is disposed of.

ARB.P. 1003/2024

4. This is a petition file under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of the Sole arbitrator to adjudicate the disputes between the parties.
5. The arbitration Clause is Clause 12 of the Agreement dated 20.04.1990 alongwith Agreement dated 24.06.1992.
6. Since there were disputes between the parties, the petitioner invoked the arbitration *vide* Legal Notice dated 04.04.2024.
7. For the said reasons, issue notice.
8. Ms. Kaul, learned counsel accepts notice on behalf of the respondent



and has no objection to the petition being allowed.

9. For the said reasons, the petition is allowed. With consent of parties, Mr. Justice V. Ramasubramanian (Retd. Judge of Supreme Court) Mobile No. 9318456789 is appointed as a Sole Arbitrator to adjudicate the disputes between the parties and the following directions are issued:-

- i) 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.
- ii) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
- iii) 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 on merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.
- iv) The parties shall approach the learned Arbitrator within two weeks from today.

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

JASMEET SINGH, J

JULY 11, 2024/NG