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

+ ARB.P. 1018/2024 & I.A. 33254/2024

**COLLIERS INTERNATIONAL INDIA PROPERTY
SERVICES PVT LTD**

.....Petitioner

Through: Mr. Pulkit Deora and Mr. Harsh
Gurbani, Advocates.

versus

**IRIS TECH PARK FACILITY MANAGEMENT
SERVICES**

.....Respondent

Through: Mr. Nitin Saluja, Ms. Simran
Khurana, Mr. Anubhav Singh and
Ms. Ishita Soni, Advocates

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
15.07.2024

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1. The petitioner has approached this Court, under Section 11 of the Arbitration and Conciliation Act, 1996 [“the Act”], for appointment of an arbitrator to adjudicate disputes between the parties under an Agreement dated 11.11.2022 entitled “*General Agreement for Services*” [“the Agreement”].
2. The Agreement contains an arbitration clause, which provides for resolution of disputes by arbitration of a sole arbitrator. Delhi has been designated as the seat of arbitration, and the Courts in Delhi have been vested with exclusive jurisdiction over the Agreement.
3. Disputes having arisen between the parties, the petitioner invoked arbitration by a communication dated 21.03.2024, and suggested the

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names of certain proposed arbitrators. The respondent replied through counsel on 12.04.2024. It appears from the respondent's reply that the existence of the arbitration clause is not disputed, but the parties could not achieve consensus as to the appointment of the arbitrator.

4. Mr. Nitin Saluja, learned counsel, appears on behalf of the respondent, and submits that the disputes may be referred to arbitration leaving all rights and contentions of the parties open for adjudication.

5. With the consent of learned counsel for the parties, the petition is disposed of with the following directions:

- a. The disputes under the Agreement dated 11.11.2022 are referred to arbitration of Ms. Bani Dikshit, Advocate [Tel:- 9810993368].
- b. The arbitration will be held under the aegis of Delhi International Arbitration Centre, Delhi High Court, Shershah Road, New Delhi-110503 ["DIAC"], and will be governed by the Rules of DIAC, including as to the 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. It is made clear that all rights and contentions of the parties are left open for adjudication before the learned Arbitrator.

7. The petition, alongwith the pending application, is disposed of.

PRATEEK JALAN, J

JULY 15, 2024

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