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

+ **ARB.P. 1055/2023**

**ISKPRO PRIVATE LIMITED**

..... Petitioner

Through: Mr.Suhail Malik and Mr.Shaunak  
Dutta, advts.

versus

**KAVI RANJAN KUMAR**

..... Respondent

Through: None.

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER**

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**06.05.2024**

By way of present petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter, referred to as the '*A&C Act*'), the petitioner seeks appointment of Arbitral Tribunal comprising of a sole arbitrator, to adjudicate the disputes *inter se* the parties.

Learned counsel for the petitioner submits that the parties had entered into an employment agreement dated 12.01.2023. Clause 17.02 of the employment agreement dated 12.01.2023 provides that disputes with respect to the agreement shall be resolved through arbitration as per provisions of A&C Act. It further provides that place of arbitration would be at New Delhi.

Disputes having arisen between the parties, petitioner invoked arbitration vide notice dated 14.08.2023 issued under Section 21 of the A&C Act.

Learned counsel for the respondent had appeared on the previous date i.e. 28.03.2024, however, none has appeared for the respondent today.



Further, as per the office note, the respondent has been served as well.

Considering that there is an arbitration agreement containing an arbitration clause and there exists an arbitrable dispute, the present petition is disposed of with the following directions:

- i) The disputes between the parties under the said agreement are referred to the arbitral tribunal.
- ii) The DIAC shall nominate an Arbitrator to adjudicate the disputes between the parties.
- iii) 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 fee rules of the DIAC schedule or as the parties may agree.
- iv) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
- v) 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 on merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.
- vi) The parties shall approach the learned arbitrator within two weeks from today.

The petition is disposed of in the above terms.

**DINESH KUMAR SHARMA, J**

**MAY 6, 2024/rb..**