



2024:DHC:5458



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

+ ARB.P. 1068/2024

MR SATYA PAL GUPTA

.....Petitioner

Through: Mr. Avinash Trivedi and Mr.
Rahul Aggarwal, Advocates.

Versus

DELHI DEVELOPMENT AUTHORITY.....Respondent

Through: Mr. Arun Birbal and Mr. Sanjay
Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (ORAL)

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23.07.2024

I.A. 33967/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

ARB.P. 1068/2024

3. This is a petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 ("the 1996 Act"), seeking reference of the disputes between the parties to arbitration.

4. The parties are governed by the General Conditions of Contract, which apply to normal Government contracts and which envisage a

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By:CHANDRASHEKHAR

AN HARI SHANKAR

Signing Date:25.07.2024

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2024:DHC:5458



pre-arbitral protocol of the claim being first placed before the Engineer In-charge, and thereafter, before the Disputes Redressal Committee, before being referred to arbitration.

5. Learned Counsel for the petitioner submits that this exercise has been exhausted, whereafter a notice under Section 21 of the 1996 Act was issued to the respondent on 16 August 2023, which was responded only by contesting the validity of the petitioner's claim.

6. It is in these circumstances the petitioner has approached this Court by means of the present petition under Section 11(6) of the 1996 Act, requesting the Court to appoint an arbitrator.

7. Mr. Sanjay Singh, learned Counsel for the respondent, on instructions, has no objection to an arbitrator being appointed to arbitrate on the disputes between the parties.

8. This Court, accordingly, appoints Mr. Sudarshan Singh Rawat, Adv. (9971382757) as the arbitrator to arbitrate on the disputes. The arbitration would take place under the aegis of the Delhi International Arbitration Centre (DIAC) and abide by its rules and regulations. The learned arbitrator shall be entitled to fees as per schedule of fees maintained by the DIAC.

9. The learned arbitrator is also requested to file the requisite disclosure under Section 12(2) of the 1996 Act within a week of entering on reference.

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App.P. 1068/2024

Page 2 of 3

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2024:DHC:5458



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

C.HARI SHANKAR, J

JULY 23, 2024

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Click here to check corrigendum, if any

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App.P. 1068/2024

Page 3 of 3

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