



\$~4

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

+ **ARB.P. 1094/2024**

JAKSON LIMITED

.....Petitioner

Through: Mr. Dhruv Pande, Advocate.

versus

SHAPOORJI PALLONJI AND COMPANY PRIVATE LIMITED

.....Respondent

Through: Mr. Babit Singh Jamwal, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **16.10.2024**

1. The present petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 ('A&C Act') has been filed by the Petitioner seeking appointment of an independent sole arbitrator to adjudicate the disputes between the parties.
2. It is stated that the Petitioner herein entered into a contract with the Respondent herein vide Work Order dated 26.06.2014 for Electrical Work including testing and commission for the Project - Permanent Campus of IIM Kashipur, Uttarakhand. It is stated that disputes have arisen between the parties regarding non-payment of money. It is stated that the Petitioner herein invoked Clause 13 of the Work Order dated 26.06.2014 which provides for arbitration for adjudication of the disputes between the parties.
3. It is stated that the Petitioner herein sent a notice dated 30.03.2024 to the Respondent invoking the Arbitration Clause. Since no reply has been



given by the Respondent to the letter of the Petitioner, the Petitioner has approached this Court by filing the present Petition.

4. In view of the fact that disputes have arisen between the Parties and there is an arbitration clause, this Court is inclined to appoint an Arbitrator to adjudicate upon the disputes between the Parties.

5. Accordingly, Justice Kurien Joseph, Former Judge Supreme Court of India (Mob. No. 9999775444) is appointed as the Sole Arbitrator to adjudicate upon the disputes between the parties.

6. The learned arbitrator shall be entitled to fees as per the Schedule of Fees mentioned under the A&C Act.

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

8. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

9. Needless to say, nothing in this order shall be construed as an expression of this Court on the merits of the contentions of the parties.

10. The present petition stands disposed of in the above terms.

SUBRAMONIUM PRASAD, J

OCTOBER 16, 2024

Rahul