



2024:DHC:5562



\$~41

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **ARB.P. 1106/2024****PRITI GOEL**

.....Petitioner

Through: **Mr. Avinash Sharma, Adv.**

Versus

DR ASRA HUSSAIN KHUMUSHI

.....Respondent

Through: **Mr. Anukul Raj, Ms. Nikita Raj
and Mr. Tushar Bhalla, Advs.****CORAM:****HON'BLE MR. JUSTICE C.HARI SHANKAR****JUDGMENT (ORAL)**

%

26.07.2024**I.A. 34472/2024 (Exemption)**

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

ARB.P. 1106/2024

3. Both sides submit, *ad idem*, that arbitral disputes have arisen between them, which, in terms of Clause 6 of the Partnership Deed dated 11 January 2023 are referable to arbitration.
4. Learned Counsel for the respondent submits that he has also filed a Section 11(6) petition for referring the disputes to arbitration, which is listed before a coordinate Bench of this Court and submits

Signature Not Verified

Digitally Signed By: **ARB. P. 1106/2024**
KUMAR
Signing Date: 29.07.2024
17:41:11

Page 1 of 2

Signature Not Verified

Digitally Signed
By: **CHANDRASHEKHARAN
HARI SHANKAR**
Signing Date: 29.07.2024
17:40:24



2024:DHC:5562



that, if this Court appoints an arbitrator, he would withdraw that petition.

5. The parties have exchanged Section 21 notices with each other and have not been able to arrive at a consensus regarding the arbitrator. Both parties are agreeable to the disputes being referred to arbitration by this Court.

6. Accordingly, this Court appoints Mr. Setu Niket, Advocate (Tel: 9873109672) to arbitrate on the disputes between the parties.

7. The learned arbitrator shall be entitled to fees as fixed in consultation with the parties.

8. 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.

9. The petition stands allowed in the aforesaid terms.

I.A. 34473/2024 (for condonation of delay of 26 days in refilling)

10. The delay in refiling is condoned.

11. The application stands disposed of.

C.HARI SHANKAR, J

JULY 26, 2024

rb

Click here to check corrigendum, if any

Signature Not Verified

Digitally Signed By: AAR B. P. 1106/2024
KUMAR
Signing Date: 29.07.2024
17:41:11

Page 2 of 2

Signature Not Verified

Digitally Signed
By: CHANDRASHEKHARAN
HARI SHANKAR
Signing Date: 29.07.2024
17:40:24