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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 1205/2023

STUDIO DRA INTERNATIONAL DESIGNERS PVT. LTD

..... Petitioner

Through: Mr. Kumar Anurag Singh, Mr. Zain A
Khan, Mr. Anish Ahlawat, Advs.

versus

BSC PROJECTS PVT. LTD

..... Respondent

Through: Mr. Anugrah Ekka, Mr. Bhupesh
Narula, Ms. Rinku Narula, Advs.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

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28.02.2024

The hearing has been conducted through **hybrid** mode (physical and virtual hearing).

1. The present petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 seeking the appointment of an arbitrator. The letter of acceptance was issued on 19.08.2022. Clause 22 of the letter of acceptance contains the arbitration clause with the jurisdiction at Delhi.
2. Learned counsel for the respondent submits that he has no objection to the appointment of an arbitrator. The claim amount is around Rs.10,00,00,000/-.
3. Considering that both the parties have consented to the reference to the arbitral tribunal, 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)As agreed by both the counsels for the parties, Mr. Kurian Josephm Former Judge, Supreme Court, Mobile No.9999775444 is appointed as an Arbitrator to adjudicate the disputes between the parties.

iii)The arbitration will be held under the aegis of the India International Arbitration Centre, Plot no. 6, Institutional Area, Vasant Kunj, New Delhi-110070 (hereinafter, referred to as the 'IIAC'). The remuneration of the learned Arbitrator shall be in terms 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 claims, 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.

4. The petition is disposed of in the above terms.

DINESH KUMAR SHARMA, J

FEBRUARY 28, 2024

Pallavi