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

+ ARB.P. 1249/2023, I.A. 23654/2023, I.A. 23655/2023,
I.A. 23656/2023

AAKASH EDUCATIONAL SERVICES LTD.

..... Petitioner

Through: Mr. Pranav Proothi and Ms. Manasi
Chatpalliwar, Advocates.

versus

MRS. POOJALA DEEPIKA

..... Respondent

Through: Mr. V.s Sridhar R. Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

09.02.2024

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1. A Petition under Section 11(5) of the Arbitration & Conciliation Act, 1996 has been filed on behalf of the petitioner for appointment of Arbitrator.
2. It is submitted in the petition that the respondent was appointed as a Lecturer in Botany Department on 08.03.2019. The respondent's service was governed by terms and conditions contained in Service Rules Manual for the employees, which was accepted by the respondent at the time of her appointment. Subsequently, disputes have arisen between the parties and the respondent sent her resignation through email dated 02.06.2022 without any Notice.
3. The Notice for invocation of arbitration was served on 07.07.2022, but the respondent did not comply with the mandate of Notice under Section 21 of the Act and did not pay the due amount of Rs.7,32,517/-. Hence, the



present petition has been filed for appointment of the Sole Arbitrator.

4. Learned counsel has appeared on advance Notice for the respondent.
5. Submissions heard.
6. There exist a valid Arbitration Agreement inter-se the parties. Clause 61(b) of the Service Rules Manual for the employees provides for resolution of disputes through arbitration.
7. The petition is referred to the Delhi International Arbitration Centre (DIAC) which shall appoint an Arbitrator from the panel for adjudication of disputes.
8. The appointment of the Arbitrator shall be governed by the rules framed by the DIAC including the fees and the disclosure to be made by the learned Arbitrator in conformity of Section 12 of the Arbitration and Conciliation Act, 1996.
9. Parties to appear before the Co-ordinator, DIAC on 26.02.2024.
10. The petition is disposed.
11. Let a copy of this Order be sent to the Co-ordinator, DIAC.

NEENA BANSAL KRISHNA, J

FEBRUARY 9, 2024/va