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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 1250/2023

DEVENDRA SINGH

..... Petitioner

Through: Ms. Raveena Dewan, Mr. Kartik
Sandal, Mr. Abhishek Mishra, Mr. Avaneesh
Jaiswal, Ms. Ishika Singh, Advs.

versus

PUERTO LIFE SCIENCES PRIVATE LIMITED

..... Respondent

Through: Mr. Preetam Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

20.02.2024

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1. This is a petition seeking appointment of an Arbitrator in terms of Clause 18 of the Employment Agreement dated 23.10.2018 which reads as under:-

“18. In any dispute or differences between the Employee and the Company, arising out of or related to the terms and conditions of the Employee's employment, as far as possible, best efforts shall be made to settle the dispute amicably, however, in case the dispute or differences are not mutually resolved, a reference shall be made to the sole arbitrator to be appointed by the Company whose decision shall be binding on you as well as the Company. All disputes shall be subject to jurisdiction of Courts in New Delhi, only. All future correspondence should be addressed confidentially to:-



Human Resources Department
Puerto Lifesciences Pvt Ltd.
CSC-24, Saini Enclave, Delhi -110092

Please note that the Employee's terms of employment (including the remuneration) should be treated in strict confidence.

2. The petitioner invoked the arbitration vide notice dated 26.08.2023.
3. Mr. Singh, learned counsel appears for the respondent and has no objection for appointment of an Arbitrator.
4. For the said reasons, the petition is allowed and the following directions are issued:-
 - i) Mr. Justice (Retd.) Sunil Gaur (Mob.: 9971000718) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
 - ii) The arbitration will be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi hereinafter, referred to as the 'DIAC'). The remuneration of the learned Arbitrator shall be in terms of the Fourth Schedule of the Arbitration & Conciliation Act, 1996.
 - iii) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
 - iv) It is made clear that all the rights and contentions of the



parties, including as to the arbitrability of any of the claim, 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.

- v) The parties shall approach the learned Arbitrator within two weeks from today.
5. The petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

FEBRUARY 20, 2024 / (MS)

Click here to check corrigendum, if any