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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 1453/2022, I.A. 21739/2022**
MAMTA DEVI ALIAS M/S SHIVA WELDING WORKS

..... Petitioner

Through: Mr. Pawan Prakash Pathak, Mr.
Monu Kumar, Advs.

versus

REW CONTRACTS PVT LTD, Respondent

Through: Mr. Sanjoy Bhaumik, Adv.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
11.03.2024

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1. This is a petition under section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of the Sole Arbitrator to adjudicate the dispute between the parties.
2. It is agreed that the work order No. REW/AT/P.O/NIT-85/BSPTCL/18-19/60, dated 05.12.2019 contains an arbitration clause with venue of arbitration at Delhi. The parties have no objection to the appointment of an arbitrator.
3. The petition is disposed of with the following observations:
 - i) Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter referred to as the 'DIAC') will appoint an Arbitrator to adjudicate the disputes between the parties.
 - ii) The arbitration will be held under the aegis of 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.

4. With regard to the balance 11 purchase orders, the petitioner seeks and is granted liberty to approach the competent court in Bihar for appointment of an arbitrator.

JASMEET SINGH, J

MARCH 11, 2024/DM

[Click here to check corrigendum, if any](#)