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

+ **ARB.P. 1229/2024 & I.A. 35980/2024**

CHAUDHARY BUILDERS

.....Petitioner

Through: Mr. Karunesh Tandon, Mr. Rahul Chauhan and Mr. Abhishek Singh, Advocates.

versus

DELHI DEVELOPMENT AUTHORITY AND ANR.

.....Respondents

Through: Mr. Anuj Chaturvedi, Ms. Harshita Maheshwari, Mr. Pawan Kumar Deo, Advocates for Respondent No.1

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
25.11.2024

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1. The Petitioner has approached this Court by filing the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator to adjudicate the disputes between the parties under the Agreement dated 23.12.2021.

2. It is stated that Respondents through its Executive Engineer/EMD/6DDA invited online percentage rate tender vide NIT No.01/EE (P)-1/SE (P)-IV/EZ/DDA/2020-21 from approved and eligible contractor from DDA, CPWD, for construction of community hall at village Kotla, Patparganj.

3. It is stated that Agreement dated 23.12.2021 was executed between the Petitioner and the Respondents. It is stated that on 02.02.2022, Respondents directed the Petitioner to stop the work.



4. Since, the disputes have arisen between the Parties, the Petitioner vide notice dated 13.04.2024 invoked the Arbitration Clause. Clause 25 of the Agreement dated 23.12.2021 contains an Arbitration Clause.
5. During the course of hearing, respective Counsel for the parties jointly request that an independent Sole Arbitrator be appointed to adjudicate the disputes between the parties.
6. Accordingly, Mr. Ashish Wad, Advocate (Mob. No. 9810015160) is appointed as a Sole Arbitrator to adjudicate upon the disputes between the parties.
7. The arbitration would take place under the aegis of the Delhi International Arbitration Centre (DIAC) and would abide by its rules and regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.
8. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the Arbitration and Conciliation Act within a week of entering on reference.
9. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.
10. Needless to say, nothing in this order shall be construed as an expression of this Court on the merits of the contentions of the parties.
11. The present petition stands disposed of in the above terms.

SUBRAMONIUM PRASAD, J

NOVEMBER 25, 2024

RJ