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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 1295/2023

RAVINDRA KUMAR

..... Petitioner

Through: Mr. Sanjoy Bhaumik, Advocate.

versus

ALL INDIA INSTITUTE OF
MEDICAL SCIENCES

..... Respondent

Through: Mr. Satya Ranjan Swain, Mr.
Ankush Kapoor, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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18.01.2024

1. By way of the present petition filed under Section 11 of the Arbitration and Conciliation Act, 1996 [“the Act”], the petitioner seeks appointment of Arbitral Tribunal comprising of a sole arbitrator to adjudicate the disputes between the parties.

2. Mr. Sanjoy Bhaumik, learned counsel for the petitioner, submits that the parties had entered into an Agreement dated 31.02.2016. It is submitted that the General Conditions of Contract contains an arbitration clause [Clause 25], which provides that all disputes with respect to the said agreement shall be referred to arbitration, and further provides that the place of arbitration would be at Delhi.

3. Disputes having arisen between the parties, the petitioner invoked arbitration *vide* legal notice dated 17.04.2023, which did not elicit a response.



4. Notice was issued in the petition on 07.12.2023.
5. Mr. Satya Ranjan Swain, learned counsel, enters appearance on behalf of the respondent and does not dispute the existence of the arbitration clause.
6. Having regard to the above and with the consent of learned counsel for the parties, the disputes between the parties are referred to arbitration of under the aegis of the Delhi International Arbitration Centre, Delhi High Court [“DIAC”]. DIAC is requested to nominate an arbitrator from its panel.
7. The arbitration will be conducted and will be subject to the Rules of DIAC, including as to the remuneration of the learned Arbitrator.
8. Learned Arbitrator is requested to furnish a declaration under Section 12 of the Act, prior to entering upon the reference.
9. It is made clear that this Court has not adjudicated the rights and contentions of the parties on maintainability or on merits, and the same are reserved for adjudication by the learned Arbitrator.
10. The petition stands disposed of with these directions.

PRATEEK JALAN, J

JANUARY 18, 2024

‘Bhupi’/