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

+ **ARB.P. 1276/2024 & I.A. 36699/2024**

M/S OMNICO MP

.....Petitioner

Through: Mr. Vinod Kumar and Mr. Shashank
Sharma, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Ms. Shivangi Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

04.10.2024

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1. The Petitioner has approached this Court under Section 11(5) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator to adjudicate the disputes between the parties.
2. It is stated that an Agreement for Scanning, Data Entry, Data Synchronization and Digitization Work was entered into between the parties on 07.04.2016. Since dispute arose regarding the outstanding payment to be made to the Petitioner, the Petitioner has issued a notice to the Respondent on 03.07.2024 invoking arbitration proceedings seeking consent for appointment of a Sole Arbitrator.
3. It is stated that that since the Respondent did not reply to the said notice, the Petitioner has approached this Court by filing the instant petition.
4. 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.



5. Accordingly, Mr. Rakesh Kumar Dudeja (Adv.) (Mob. No. 9810147798) is appointed as a Sole Arbitrator to adjudicate upon the disputes between the parties.
6. 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.
7. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the 1996 Act within a week of entering on reference.
8. 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.
9. 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.
10. The present petition stands disposed of in the above terms.

SUBRAMONIUM PRASAD, J

OCTOBER 4, 2024

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