



\$~11

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

+ **ARB.P. 1290/2024**

PAWAN KUMAR ARORA & ORS.

.....Petitioners

Through: Mr. Anmol Sharma, Mr. Nikhil
Chauhan and Mr. Hritik Sejwal,
Advocates with Petitioner in person.

versus

M/S CHUNMUN STORES PVT. LTD.

.....Respondent

Through: Ms. Kritika Mohan, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

07.10.2024

%

1. The Petitioner has approached this Court under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator to adjudicate the disputes between the parties.
2. It is stated that a registered Lease Deed Agreement was executed between the parties on 30.01.2019. It is stated that the on 15.10.2021, the Petitioners sent a notice to the Respondent for enhancement of the rent for the period from 12.10.2021 to 11.10.2024 as per Clause 4.2 of the Lease Agreement dated 30.01.2019 and reminder against delay in payment of monthly rent for the month of October, 2021. Thereafter, the Petitioners sent various demand notices to the Respondent regarding the short payment of monthly rent and reminder for enhancement of rent for the period 12.10.2021 to 11.10.2024.
3. It is stated that on 04.01.2023, the Petitioners sent a notice to the Respondent invoking arbitration as per Clause 33 of the agreement. On



30.03.2024, the Petitioners issued notice under Section 11 of the Arbitration & Conciliation Act, 1996, which was replied to by the Respondent on 29.04.2024. Pursuant to the said reply, the Petitioners have approached this Court by filing the instant petition for appointment of an Arbitrator.

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. Shiven Khurana, Adv. (Mob. No.9958981505) 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 along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

OCTOBER 07, 2024

hsk