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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 1344/2023 & I.A. 25454/2023.

PARAMDEEP MOKHA

..... Petitioner

Through: Mr. Sanjay Garg, Ms. Meenakshi
Garg, Advocates [9212193450].

versus

POWER GRID CORPORATION OF INDIA LTD. THROUGH
ITS CHAIRMAN AND MANAGING DIRECTOR Respondent

Through: Ms. Abiha Zaidi, Ms. Suriti
Choudhary, Mr. Apurv Tyagi, Mr.
Anuj Bhawe, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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10.01.2024

1. By way of this petition under Section 11 of the Arbitration and Conciliation Act ["the Act"], the petitioner seeks appointment of an arbitrator to adjudicate disputes between the parties under a contract dated 15.02.2022 for supply of services.
2. The contract contains an arbitration clause (Clause 59 of the General Conditions of Contract ["GCC"]) which provides for arbitration by a sole arbitrator. Clause 60.2 of the GCC vests exclusive jurisdiction in the courts in Delhi.
3. Disputes having arisen between the parties, the petitioner invoked arbitration by a communication dated 15.12.2022. As the said



communication failed to elicit a response, the petitioner has filed this petition under Section 11 of the Act.

4. Learned counsel for the respondent has entered appearance, and submits that an attempt was made to resolve the disputes by way of conciliation but parties failed to achieve consensus. However, learned counsel states, upon instructions, that an independent arbitrator may be appointed, leaving all questions open for adjudication by the learned arbitrator.

5. Having regard to the above, the parties are referred to arbitration of Ms. Suhasini Sen, Advocate [Tel: 9650096066].

6. The arbitration will be held under the aegis of Delhi International Arbitration Centre, Delhi High Court, Shershah Road, New Delhi ["DIAC"]. The proceedings will be governed by the Rules of DIAC, including as to remuneration of the learned Arbitrator.

7. The learned Arbitrator is requested to furnish a declaration under Section 12 of the Act, prior to entering upon the reference.

8. It is made clear that all right and contentions of the parties are left open for adjudication in the arbitral proceedings.

9. The petition, alongwith pending application, stands disposed of with these directions.

PRATEEK JALAN, J

JANUARY 10, 2024

"Bhupi"/