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

+ **ARB.P. 6/2024**

M/S CYBER MEDIA RESEARCH AND SERVICES LTD.

..... Petitioner

Through: Mr. Swetank Shantanu, Ms. Aanchal
Tiwari, Mr. Pratap Shankar, Advs.

versus

CURRIMBHOY MILLS PVT. LTD. AND ORS. Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

29.02.2024

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1. By way of the present petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter, referred to as the 'A&C Act'), the petitioner seeks appointment of an Arbitral Tribunal comprising of a sole arbitrator, to adjudicate the disputes between the parties.
2. Learned counsel for the petitioner submits that the parties had entered into a Service Agreement dated 01.11.2021. It is submitted that the said Agreement contains an arbitration clause (Clause-12.2), which provides that all disputes, with respect to the said agreement, shall be referred to arbitration as per provisions of the A&C Act, and further provides that the place of arbitration would be at Delhi.
3. Learned counsel for the petitioner submits that the petitioner is engaged in the business of providing digital media services viz. digital



marketing, digital media buying, digital advertising, creative services, SEO, data analytics, lead generation management, market research, advisory, etc. to its customers and has a good reputation in the market.

4. It has further been submitted that the respondent is in the business of online sale of 'Shahnaz Husain' products and required the services of the petitioner for marketing. Though the services were not provided however the respondent failed to make the payment. Disputes having arisen between the parties, the petitioner invoked arbitration vide notice dated 18.08.2023.
5. Notice of the present petition was duly served.
6. Learned counsel has also brought the attention of this court to the reply received by the petitioner from respondent no.2, giving no objection in referring the present matter for arbitration proceedings. Learned counsel submits that the claim amount is around Rupees Twenty Eight Lakhs.
7. In view of the consent of both the parties, the present petition is disposed of with the following directions:
 - i) The disputes between the parties under the said agreement are referred to the Sole Arbitrator.
 - ii) Mr. Sandeep Sharma, Advocate (Mobile No. 9811022432) is nominated as Sole Arbitrator to adjudicate the disputes between the parties.
 - iii) The arbitration will be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi hereinafter, referred to as the 'DIAC'). The remuneration of the learned Arbitrator shall be in terms of fees



Schedule of DIAC or as the parties may agree.

- iv) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
- v) It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claims, any other preliminary objection, as well as claims on merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.
- vi) The parties shall approach the learned arbitrator within two weeks from today.

DINESH KUMAR SHARMA, J

FEBRUARY 29, 2024/AR..