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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 226/2024 & I.A. 4100/2024

MS. NISHA DEVI

..... Petitioner

Through: Ms. Harshita Gulati, Advocate.

versus

M/S R.R. INFOIMPARTERS PVT. LTD. & ORS..... Respondents

Through: Appearance for R-1 not given.

Mr. Sourabh Malhotra and Mr.
Prem Sood, Advocate for R-3.

Mr. Imran Mouleay, Advocate for
R-4 to 6.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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29.02.2024

1. By virtue of the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 [“the Act”], the petitioner seeks appointment of an arbitrator to adjudicate the disputes between her and respondent No.1-company, under a Memorandum of Understanding [“MoU”] dated 28.05.2021. The MoU contains an arbitration clause [Clause 9], which also provides for exclusive jurisdiction to Courts in Delhi.
2. Disputes having arisen between the parties, the arbitration clause was invoked by a legal notice dated 31.07.2023. No reply was received on behalf of respondent No.1-company.
3. Respondent No.2 and 3 are the present directors of the company and respondent No.4 to 6 are the former directors of the company. For the



present, learned counsel for the petitioner confines the reliefs sought to adjudication of disputes between her and respondent No.1, leaving all other contentions open before the learned Arbitrator.

4. Learned counsel for respondent No.1 enters appearance and submits that the disputes may be referred to arbitration, leaving all defences open to respondent No.1.

5. With the consent of learned counsel for the parties, disputes between the petitioner and respondent No.1 under the MoU dated 28.05.2021, are referred to arbitration under the aegis of Delhi International Arbitration Centre, Delhi High Court, Shershah Road, New Delhi-110503 [“DIAC”]. The arbitration proceedings will be governed by the Rules of DIAC, including as to the remuneration of the learned Arbitrator. DIAC is requested to nominate an Arbitrator from its panel.

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

7. It is made clear that all rights and contentions of the parties are left open for adjudication by the learned Arbitrator.

8. The petition, alongwith pending application, is disposed of in terms of the above.

PRATEEK JALAN, J

FEBRUARY 29, 2024
SS/