



\$~1

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

+ **ARB.P. 240/2024**

ZENITH ELECTROTECH PVT. LTD. Petitioner

Through: **Dr. Ajay Chaudhary & Mr. Manoj
Kumar Bhagat, Advocates.**

versus

DNA PROJECTS AND ANR. Respondents

Through: **Mr. Asheesh Jain, Mr. Gaurav
Kumar, Mr. Preetpal Singh & Ms.
Neha Narang, Advocates for R-1 &
2.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

22.05.2024

1. The petitioner has filed this petition under Section 11 of the Arbitration and Conciliation Act, 1996 [“the Act”], for appointment of an arbitrator to adjudicate disputes between the parties under three Work Orders, two dated 27.07.2021 and one dated 05.08.2021. All the Work Orders contain an arbitration clause.

2. Disputes having arisen between the parties, the petitioner invoked arbitration by a communication dated 17.10.2022 in respect of the three Work Orders. The said communication did not elicit a response.

3. Mr. Asheesh Jain, learned counsel for the respondents, submits that subject to all rights and contentions of the respondents being left open, an arbitrator may be appointed to adjudicate the disputes.



4. Having regard to the above, and with the consent of learned counsel for the parties, the petition is disposed of with the following directions:-

- a. Disputes between the parties under the three Work Orders, two dated 27.07.2021 and one dated 05.08.2021, are referred to arbitration of Mr. Tariq Khan, Advocate [Tel: 9999663628].
- b. The arbitration will be held under the aegis of Delhi International Arbitration Centre, Sher Shah Road, New Delhi-110503 [“DIAC”], and will be governed by the Rules of DIAC, including as to the remuneration of the learned Arbitrator.
- c. The learned Arbitrator is requested to furnish a declaration under Section 12 of the Arbitration and Conciliation Act, 1996, prior to entering upon the reference.

5. All rights and contentions of the parties are left open for adjudication before the learned Arbitrator.

6. The petition stands disposed of with these directions.

PRATEEK JALAN, J

MAY 22, 2024

‘pv’/