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

+ **ARB.P. 1504/2024**

ALEXAPARTNERS PRIVATE LIMITEDPetitioner

Through: Mr. Ashkrit Tiwari, Advocate

versus

NATIONAL INTERNET EXCHANGE OF INDIARespondent

Through: Mr. Aldanish Rein, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **08.10.2024**

1. The Petitioner has approached this Court under Section 11(5) & 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 the Petitioner and the Respondent entered into a Master Service Agreement on 17.12.2022. It is stated that for services provided by the Petitioner during the year 2023-24, the Petitioner raised different invoices, however, the same remained due and payable by the Respondent in terms of the Master Service Agreement.
3. It is stated that despite several requests and reminders, the Respondent did not clear the said outstanding amounts, the Petitioner herein issued a notice dated 28.05.2024 to the Respondent invoking arbitration clause.
4. It is stated that since the Respondent has not replied to the said notice, the Petitioner has approached this Court by filing the instant petition for



appointment of an Arbitrator.

5. 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.

6. Accordingly, Ms. Mehak Nakra, Adv. (Mob. No. 9871144582) is appointed as a Sole Arbitrator to adjudicate upon the disputes between the parties.

7. 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.

8. 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.

9. 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.

10. 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.

11. The present petition stands disposed of in the above terms along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

OCTOBER 8, 2024

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