



\$~38

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

+ **ARB.P. 1722/2024**

RELIANCE ELEKTRIK WORKS

.....Petitioner

Through: Mr. Sanjoy Bhaumik, Advocate.

versus

P K ENTERPRISES

.....Respondent

Through: Mr. Sanjiv Kumar Saxena, Mr.
Ramneek Mishra & Mr. Tejendra
Rajawat, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

29.10.2024

%

I.A. 43842/2024 (Exemption)

Allowed, subject to all just exceptions.

ARB.P. 1722/2024

1. The Petitioner has approached this Court under Section 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 issued purchase Order dated 11.03.2024 for supply of POC-43 grade cement A/C PWD Delhi Projects. It is stated that a sum of Rs.10,00,000/- was released as per Order dated 11.03.2024 by the Petitioner to the Respondent but the Respondent did not supply the material. Since the Petitioner did not receive the material, *vide* email dated 20.05.2024 the Petitioner asked the Respondent for return of advance payment. On 31.07.2024, the Petitioner issued a letter to the Respondent



invoking arbitration under the purchase order for the settlement of disputes between the parties.

3. 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.

4. Accordingly, Mr. Sidharth Garg, (Adv.) (Mob. No. 9599967047) is appointed as a Sole Arbitrator to adjudicate upon the disputes between the parties.

5. 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.

6. 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.

7. 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.

8. 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.

9. The present petition stands disposed of in the above terms.

SUBRAMONIUM PRASAD, J

OCTOBER 29, 2024

hsk