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

+ **ARB.P. 1950/2024**

DEVELOPMENTS CONSULTANT APetitioner

Through: **Mr. Rahul Malhotra, Advocate**

versus

GURU GOBIND SINGH INDRAPRASTHA UNIVERSITY

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **05.12.2024**

I.A. 47284/2024 (Exemption)

Allowed, subject to all just exceptions.

ARB.P. 1950/2024

1. The present petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 by the Petitioner seeking appointment of an Arbitrator to adjudicate upon the disputes which have arisen between the parties under the Agreement dated 05.12.2013.

2. Clause 20 of the said Agreement, which is an arbitration clause, reads as under:

“20. Arbitration:

20.0 ARBITUATION:

All the disputes and differences, arising out of or relating to this agreement and/ or incidental there-to will be referred for adjudication through arbitration by



a sole arbitrator to be nominated or appointed by Vice Chancellor of University. If the arbitrator so appointed is unable or unwilling to act or resigns his appointment or vacates his office due to any reason whatsoever another sole arbitrator shall be appointed in the manner aforesaid. 81.1ch person shall be entitled 10 proceed with the reference from the stage at which it was left by his predecessor. The arbitration shall be conducted as per the provisions of the Arbitration and Conciliation Act, 1996.. ”

3. Learned Counsel appearing for the Respondent states that the Respondent has no objection to the present Petition.
4. In view of the fact that disputes have arisen between the parties and there is an arbitration clause in the Agreement, this Court is inclined to appoint an Arbitrator to adjudicate upon the disputes between the parties.
5. Accordingly, Ms. Vibha Datta Makhija, Senior Advocate, (Mob. No.9810150602) is appointed as an Arbitrator to adjudicate upon the disputes between the Parties.
6. 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.
7. 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.
8. 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.
9. 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.

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

SUBRAMONIUM PRASAD, J

DECEMBER 05, 2024

Rahul