



\$~7

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

+ **O.M.P.(I) (COMM.) 441/2024**

IPOWER RENEWABLE ENERGY PVT LTDPetitioner
Through: Mr. Jayant Mehta, Sr. Advocate with
Mr. Saurabh Bindal, Ms. Akshita
Salampuria and Ms. Akanksha Batra,
Mr. Jitendra and Mr. Rajat Sinha,
Advocates

versus

GENTARI RENEWABLES INDIA CASTOR ONE PVT LTDRespondent
Through: Ms. Tine Abraham, Mr. Amit Ojha,
Ms. Meghna Chandra, Mr. Aayush
Marwah and Mr. Vivek Krishnani,
Advocates

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER
24.12.2024

1. The present petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 ('the Act of 1996'), seeking ad-interim injunction restraining the Respondent from entering into an agreement or any contract with any other third party for setting up a project using the microsite coordinates as suggested by the Petitioner herein.
2. During submissions, the parties jointly state that they consent to appointment of the Sole Arbitrator and request this Court to appoint a former Judge of High Court. The parties further consent to the arbitration being conducted under the aegis of Delhi International Arbitration Centre ('DIAC') and as per the Rules of DIAC.



3. Accordingly, with the consent of the parties, Justice Rajiv Shakdher, (Retd.), Former Chief Justice of Himachal Pradesh High Court [Mob. No. 9717495004] is appointed as the Sole Arbitrator with the following directions:

- (i) The arbitration proceedings will be conducted under the aegis of DIAC and the Rules of DIAC will apply to the arbitral proceedings.
- (ii) The learned Sole Arbitrator is requested to make his declaration under Section 12 of the Act of 1996 to the parties on or before the preliminary hearing.
- (iii) The fees of the learned Sole Arbitrator will be as per the Fourth Schedule of the Act of 1996 as amended by the Rules of DIAC.

4. The parties agree that the present petition under Section 9 of the Act of 1996 shall be placed before the learned Sole Arbitrator and be adjudicated as Section 17 petition.

5. The Respondent is directed to file its reply within three (3) weeks. Rejoinder thereto, if any, be filed within a period of one (1) week thereafter.

6. The parties are directed to appear before the learned Sole Arbitrator on **04.01.2025** at **09:30 A.M.** through video conferencing link for a preliminary hearing.

7. Needless to state that all the rights and contentions of the parties are left open.

8. With the aforesaid directions, the present petition stands disposed of.

9. Pending application stands disposed of.

10. A copy of this order be sent to the Secretary, DIAC and to the learned Sole Arbitrator.



11. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J
DECEMBER 24, 2024/rhc/sk/hp