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

+ ARB.P. 306/2025, IA 3869/2025

BHIM SINGH

.....Petitioner

Through: Mr. Suman Kumar, Mr. Shubhanshu
Singh, Mr. Shailash Kumar Sinha and
Mr. Vivek Kumar, Advocates.

versus

M/S RELIANCE JIO INFOCOMM LIMITEDRespondent

Through: Mr. Vishnu Sharma, Advocate

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

14.02.2025

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1. By way of present petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter, referred to as the 'A&C Act'), the petitioner seeks constitution of an Arbitral Tribunal comprising of a Sole Arbitrator, to adjudicate upon the disputes between the parties.
2. Learned counsel for the petitioner submits that the parties had entered into a Leave and License Agreement dated 30.05.2015, Clause 6 whereof provides that disputes with respect to the said Agreement shall be resolved through arbitration in accordance with provisions of the A&C Act. It further provides that venue of arbitration shall be at New Delhi.
3. Learned counsel appearing for the respondent, on instructions, submits that the respondent has no objection to the matter being referred to the Arbitral Tribunal comprising of a Sole Arbitrator.
4. At this stage, the parties jointly pray that at the first instance, the parties be referred to mediation to explore the possibility of an amicable settlement, failing which, the matter may be referred to arbitration.
5. In light of the above submissions, list before the *Samadhan*, Delhi



High Court Mediation & Conciliation Centre on 21.02.2025.

6. In case, no settlement is arrived at between the parties within a period of four weeks, the matter shall stand referred to arbitration. Accordingly, the present petition along with pending application is disposed of with the following directions:

- i) The disputes between the parties under the subject Agreement shall stand referred to the Arbitral Tribunal in case the parties fail to arrive at an amicable settlement within 4 weeks from the date of hearing before *Samadhan*, Delhi High Court Mediation & Conciliation Centre.
- ii) Accordingly, DIAC shall nominate the Sole Arbitrator to adjudicate the disputes between the parties.
- iii) The arbitration will be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter, referred to as the 'DIAC'). The remuneration of the learned Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018 or as the parties may agree.
- iv) The learned Arbitrator shall furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
- v) It is made clear that all the rights and contentions of the parties, including on the existence and validity of the Arbitration agreement, novation of the agreements, arbitrability of any of the claim/counter claim, any other preliminary objection, need and legality of interim relief, as well as contentions on merits of the dispute by either of the parties, are left open for adjudication by the learned Arbitrator.
- vi) The parties shall approach DIAC in case of failure to reach an



amicable settlement within 4 weeks.

FEBRUARY 14, 2025/rd

MANOJ KUMAR OHRI, J