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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 1547/2024**
VISTAAR ARCHITECTS AND PLANNERS & ORS.Petitioners
Through: Mr. Saswat Pattnaik, Advocate

versus

UNION OF INDIA DEPARTMENT OF REVENUE, THROUGH
ITS JOINT SECRETARYRespondent
Through: Mr.Aditya Singla, SSC with Mr.Umang
Misra, Advocate

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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30.01.2025

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 appointment of Arbitral Tribunal comprising of a Sole Arbitrator, to adjudicate the disputes between the parties.
2. Learned counsel for the petitioner submits that the parties had entered into a General Contract dated 01.07.2011, Clause 13 of which provides that disputes with respect to the Contract shall be resolved through arbitration as per provisions of A&C Act. It further provides that place of arbitration would be at Delhi.
3. Disputes having arisen between the parties, the petitioner invoked arbitration vide notice dated 16.09.2021, issued under Section 21 of the A&C Act.
4. Learned counsel appearing for the respondent, on instructions, submits that the answering respondent has no objection to the appointment



of an independent and impartial arbitrator and for the matter being referred to the Arbitral Tribunal comprising of a Sole Arbitrator.

5. Considering that both the parties have consented to the reference to the arbitral tribunal, the present petition is disposed of with the following directions:

- i) The disputes between the parties under the said agreement are referred to the Arbitral Tribunal.
- ii) Mr. Shyam Sharma, Advocate (Mob. No. 9810153965) is appointed as 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 as to the arbitrability of any of the claim, any other preliminary objection, as well as claims on merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.
- vi) The parties shall approach the learned Arbitrator within two weeks from today.

MANOJ KUMAR OHRI, J

JANUARY 30, 2025

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