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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 1693/2024**

SH SANDEEP SINGHPetitioner
Through: **Mr. Anurag Singh, Advocate.**

versus

SH AZADRespondent
Through: **Mr. Nalin Tripathi, Mr. Aman Kumar
and Mr. Abhishek Tiwari, Advocates.**

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

% **ORDER**
25.02.2025

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 an arbitrator, to adjudicate the disputes between the parties.
2. Learned counsel for the petitioner submits that the parties entered into a Rent Agreement dated 30.06.2021, Clause 16 of which provides that disputes with respect to the Agreement shall be resolved through arbitration, to be held in accordance with provisions of the A&C Act.
3. The petition is accompanied by notice invoking arbitration dated 09.08.2024 issued to the respondent 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 matter being



referred to the Arbitral Tribunal comprising of a Sole Arbitrator. He however, submits that all the objections qua the maintainability, arbitrability, existence and validity of the Agreement as well as proceedings sought to be initiated and limitation be left open to be urged before the Arbitral Tribunal.

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 Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter, referred to as the 'DIAC') who shall nominate a Sole Arbitrator.
- ii) The arbitration will be held under the aegis of 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.
- iii) The learned Arbitrator shall furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
- iv) It is made clear that all the rights and contentions of the parties, including on the existence and validity of the Arbitration agreement, arbitrability of any of the claim/counter claim, limitation, 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.
- v) The parties shall approach the learned Arbitrator within two weeks from today.



6. Copy of this order be sent to DIAC for information and necessary compliance.

FEBRUARY 25, 2025

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MANOJ KUMAR OHRI, J