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

+ **ARB.P. 134/2025, I.A. 1416/2025**

MS SARINS

.....Petitioner

Through: Mr. Karan Mathur, Mr. Ivo DCosta,
Mr. Guruprasad Naik, Ms. Ishani
Shekhar, Advocates

versus

**THE CHIEF ENGINEER,(AF) WAC MILITARY ENGINEER
SERVICES**

.....Respondent

Through: Mr. Raj Kumar, CGSC and Mr.
Krishna Chaitanya, GP.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

06.02.2025

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1. This Petition has been filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator to adjudicate on the disputes which have arisen between the parties regarding construction of a Swimming Pool at Air Force Station Ambala.
2. This Court vide Order dated 20.01.2025 had directed the learned Counsel for the Respondent, who was appearing on advance notice, to get instructions regarding appointment of an Arbitrator.
3. Learned Counsel appearing for the Respondent states that an Engineer may be appointed as an Arbitrator since ascertaining the amount due and payable, if any, would depend upon the construction of Swimming Pool.
4. Learned Counsel appearing for the Petitioner states that he has no



objection if an Engineer is appointed as an Arbitrator.

5. In view of the fact that disputes have arisen between the parties, this Court is inclined to appoint an Arbitrator to adjudicate upon the disputes between the parties.

6. Accordingly, Mr. Dinesh Kumar (Mob. No.9810718565) is appointed as an Arbitrator to adjudicate upon the disputes between the Parties.

7. 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.

8. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the 1996 Act within two weeks of entering on reference.

9. 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.

10. 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.

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

SUBRAMONIUM PRASAD, J

FEBRUARY 6, 2025

S. Zakir