
(2022) 04 DEL CK 0136

In the Delhi High Court

Case No : Arbitration Petition No. 593 Of 2021

Contiasia Hospitality And Hr Solutions Pvt Ltd

APPELLANT

Vs

Commandant TSP VIII Battalion

RESPONDENT

Date of Decision : 18-04-2022

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 12

Citation : (2022) 04 DEL CK 0136

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Rajesh Saxena, Sheikh F. Kalia, D. Kumanan

Final Decision : Disposed Of

Judgement

Sanjeev Sachdeva, J

1. Petitioner seeks appointment of an Arbitral Tribunal pursuant to agreement dated 05.01.2018.
2. Learned counsel appearing for the respondent submits that petitioner had failed to make payment to the labourers who have initiated proceedings before the Labour Courts and awards are being passed against the respondent being the principal employer.
3. He submits that on account of the passing of the award, the respondent has been made to pay the amount in excess of the amount that would have paid to the petitioner and accordingly respondent also have a counter-claim against the petitioner.
4. In view of the above and with the consent of the parties, the disputes are referred to the Delhi International Arbitration Centre (DIAC), which would appoint an arbitrator to arbitrate the claims and counter claims. The arbitration shall take place under the aegis of the DIAC in accordance with its rules and regulations.

5. The arbitrator would be entitled to charge fees in accordance with the schedule of fee stipulated by the DIAC.
6. The arbitrator shall furnish the requisite disclosure under section 12 of the Arbitration and Conciliation Act, 1996 within two week of entering reference.
7. The petition is disposed of in the above terms.