

(2022) 04 DEL CK 0036

In the Delhi High Court

Case No : Arbitration Petition No. 302 Of 2022

JCS Healthcare Pvt. Ltd.

APPELLANT

Vs

Medeor Hospital Limited

RESPONDENT

Date of Decision : 08-04-2022

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 11(6), 12

Citation : (2022) 04 DEL CK 0036

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Rajmangal Kumar, Prateek Singh Chaudhary

Final Decision : Disposed Of

Judgement

SANJEEV SACHDEVA, J

1. Petitioner seeks appointment of an Arbitrator under Section 11(6) of the Arbitration & Conciliation Act, 1996 in terms of the agreement dated 14.12.2018. The arbitration clause stipulates reference to the dispute to a sole arbitrator.
2. Learned counsel for respondent submits that without prejudice to their defence, they have no objection to appointment of a sole arbitrator.
3. Since the parties are agreeable to reference of their disputes to arbitration, the petition is allowed.
4. With the consent of the parties and without prejudice to their rights and contentions, Ms. Bimla Makin, retired District and Sessions Judge is appointed as the sole Arbitrator. The Arbitral tribunal shall entertain the claims and counter claims, if any, between the parties.
5. The fees of the learned Arbitrator shall be as per the Fourth Schedule of the Arbitration and Conciliation Act, 1996.

6. The Arbitrator shall furnish the requisite disclosure under section 12 of the Arbitration and Conciliation Act, 1996 within two weeks of entering reference.
7. Petition is disposed of in the above terms.