courtkutchehry.com

Company : CourtKutchehry
Website : www.courtkutchehry.com
Printed For :
Date : 08/09/2026

(2020) 02 DEL CK 0601

In the Delhi High Court

Case No : Arbitration Petition No. 427 Of 2019

M/S Barista Coffee Company Limited & Anr. APPELLANT

Vs

M/S Dharampal Premchand Ltd RESPONDENT

Date of Decision : 07-02-2020

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

Citation : (2020) 02 DEL CK 0601

Hon'ble Judges : Jyoti Singh, J

Bench : Single Bench

Advocate : Mayank Mehandru, Charu Tandon, Brajesh Kumar, Saurav Kumar

Final Decision : Disposed Of

Judgement

Jyoti Singh, J

1. This is a petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 ('Act') for appointment of an Arbitrator. Parties entered into an agreement dated 23.05.2016 for providing marketing support and promotional services for promoting the products of the respondent.

2. Learned counsel for the respondent submits that since there is no dispute on the existence and the validity of the Arbitration Agreement between the parties, he can have no objection to the present petition being allowed. Arbitration Clause reads as under :-

"14(f). Governing Law: In the event of dispute, if any, between the parties shall be referred to the Arbitration in accordance with the Indian Arbitration and Conciliation Act, 1996 and the arbitrators' award shall be final and binding on both the Parties."

3. With the consent of the parties, the matter is referred to Delhi International Arbitration Centre (DIAC) who will appoint a Sole Arbitrator to adjudicate the disputes between the parties. The Arbitrator will be appointed within a period of

six weeks from today by the DIAC with due intimation to the respective parties. Arbitration proceedings will be conducted as per the procedure of DIAC, and under its aegis.

4. Learned Arbitrator so appointed shall give disclosure under Section 12 of the Act before entering upon reference.

5. Fee of the Arbitrator shall be fixed as per Fourth Schedule of the Act.

6. The petition is disposed of in the aforesaid terms.

Downloaded from CourtKutchehry — https://dev.courtkutchehry.com/judgments/ms-barista-coffee-company-limited-…