

(2022) 05 DEL CK 0071

In the Delhi High Court

Case No : Arbitration Petition No. 306 Of 2022

M/S Positive Real Tech Pvt. Ltd.

APPELLANT

Vs

M/S Jyoti Electricals

RESPONDENT

Date of Decision : 13-05-2022

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 12

Citation : (2022) 05 DEL CK 0071

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Bharat Chugh, Appoorva Saxena, Shrikant Tyagi

Final Decision : Disposed Of

Judgement

Sanjeev Sachdeva, J

1. Petitioner seeks appointment of an Arbitral Tribunal in respect of the disputes that have arisen out of the work order dated 15.03.2021.
2. Learned counsel for the petitioner submits that on account a typographical error in the petition, the claim for loss of reputation has been mentioned as Rs. 1 crore instead of Rs. 10 lakhs. He submits that the claim be read as Rs. 10 lakhs instead of Rs. 1 crore.
3. Learned counsel appearing for the respondent submits that without prejudice to their rights and contentions, they have no objection to the Arbitral Tribunal being constituted and the disputes being referred to arbitration.
4. Without prejudice to the above, learned counsel for the parties pray that the parties be referred to Delhi International Arbitration Centre (DIAC).
5. In view of the above, the disputes are referred to the Delhi International Arbitration Centre (DIAC), which would appoint an arbitrator to arbitrate the disputes. Arbitration shall take place under the aegis of the DIAC in accordance with its rules and regulations.

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