

(2022) 04 DEL CK 0227

In the Delhi High Court

Case No : Arbitration Petition No. 192 Of 2022

Premco Rail Engineers Limited

APPELLANT

Vs

Container Corporation Of India Limited

RESPONDENT

Date of Decision : 27-04-2022

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 12

Citation : (2022) 04 DEL CK 0227

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : C.S. Jha, Anjan Datta, Sujoy Chatterjee, P.D. Banerjee, Rishi K. Awasthi, Piyush Vatsa

Final Decision : Disposed Of

Judgement

Sanjeev Sachdeva, J

1. Petitioner seeks appointment of an Arbitral Tribunal pursuant to the agreement dated 13.05.2016.
2. The disputes are in excess of Rs. 25 lakhs and the arbitration clause 64 of the agreement stipulates that the disputes shall be referred to an Arbitral Tribunal comprising of three members.
3. Learned counsel appearing for the parties submits that keeping in view the nature of disputes, though the value is exceeding Rs. 25 lakhs, they pray that the disputes be referred to Sole Arbitral Tribunal.
4. Since the parties are agreeable to reference of their disputes to arbitration, with the consent of the parties and without prejudice to their rights and contentions, Mr. Hori Lal, Executive Director (Mobile No. +91 9350624643; email: hori.lal@rediffmail.com) is appointed as the Sole Arbitrator to adjudicate the claims and counter-claims, if any, of 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.