

(2019) 12 DEL CK 0333

In the Delhi High Court

Case No : Arbitration Petition No. 730 Of 2019

Samara India Private Limited

APPELLANT

Vs

Oriental Insurance Company Limited (CBO-13)

RESPONDENT

Date of Decision : 20-12-2019

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 12

Citation : (2019) 12 DEL CK 0333

Hon'ble Judges : Jyoti Singh, J

Bench : Single Bench

Advocate : Sumit Lall, Divyansha Agrawal, Anuj Sharma, Mohit Arora

Final Decision : Allowed

Judgement

Jyoti Singh, J

1. Petitioner herein purchased a "Standard Fire & Special Perils Policy" dated 30.09.2015 from the respondent. Disputes arose between the parties with respect to the said policy, which contains an arbitration Clause. The said Clause reads as under:-

"13. If any dispute or difference shall arise as to the quantum to be paid under this policy (liability being otherwise admitted) such difference shall independently of all other questions be referred to the decision of a sole arbitrator to be appointed in writing by the parties to or if they cannot agree upon a single arbitrator within 30 days of any party invoking arbitration, the same shall be referred to a panel of three arbitrators, comprising of two arbitrators, one to be appointed by each of the parties to the dispute/difference and the third arbitrator to be appointed by such two arbitrators and arbitration shall be conducted under and in accordance with the provisions of the Arbitration and Conciliation Act, 1996."

2. Learned counsel for the respondent submits, on instructions from the respondent, that he has no objection to the appointment of a Sole Arbitrator by

this Court.

3. With the consent of the parties, Hon'ble Ms. Justice Reva Khetarpal, Former Judge of this Court, is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.

4. The address and mobile number of the learned Arbitrator is as under:

Hon'ble Ms. Justice Reva Khetarpal,

Former Judge of Delhi High Court,

11, Teen Murti Lane,

New Delhi-110011.

Mobile: 9871300030

5. The learned Arbitrator shall give disclosure under Section 12 of the Act before entering upon reference.

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

7. The petitions are allowed in the aforesaid terms.