

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
ARBITRATION PETITION NO. 13 OF 2009

STELLAR SEARCH & SELECTION P.LTD.

Petitioner(s)

VERSUS

JUMBO ELECTRONIC CO.LTD.

Respondent(s)

Date: 16/07/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s)

Mr.Neeraj Sharma,Adv.  
Ms.Roopali Singh,Adv.  
Ms.Achana Lakhatia, Adv.  
M/S. Dua Associates,Adv.

For Respondent(s)

Mr.Praveen Jain,Adv.  
Mr.T.S.Sidhu, Adv.  
Mr.Mukesh Kumar,Adv.  
Ms.Padma Priya,Adv.  
For M.V.Kiwi & Associates.

UPON hearing counsel the Court made the following  
O R D E R

Heard learned counsel for the parties.

The Arbitration Petition is disposed of in terms of the signed order.

(Kusum Syal)  
Sr.P.A

( R.K. Sharma)  
Court Master

(Signed Order is placed on the file)  
IN THE SUPREME COURT OF INDIA

ARBITRATION PETITION NO. 13 OF 2009

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O R D E R

Heard learned counsel for the parties.

In view of Clause 11 of the business terms (agreement) entered into between the parties, I am satisfied that a dispute

concerning those terms particularly with regard to payment of fees to the petitioner has arisen between the parties and the said dispute needs to be resolved through the arbitration process provided in Clause 11, which reads thus:

11. "Any dispute or difference arising between the parties shall be resolved amicably at the first instance. Unresolved disputes, controversies, contests, disputes, if any shall be submitted to arbitration. The arbitration shall be conducted in accordance with the provisions of the Arbitration and Conciliation, 1996 along with the Rules thereunder and any amendments thereto. The Arbitration shall be conducted in English. The decision/award of the arbitrator shall be final/conclusive and binding on the Parties, the seat of the arbitration should be at New Delhi".

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The learned counsel agreed that Hon'ble Mr. Justice D.P. Wadhwa (Retired), former Judge of this Court, may be appointed as a sole Arbitrator to resolve the dispute between the parties. It is ordered accordingly. The Arbitrator may fix his remuneration with consultation of the parties.

The Arbitration Petition stands disposed of, as indicated above with no order as to costs.

.....J  
(R.M.LODHA)

NEW DELHI  
JULY 16, 2010