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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 234/2011

M/S FALCON ADVERTISERS

..... Petitioner

Through : Mr. Javed Khan, Adv.

versus

M/S AJS BUILDERS PVT LTD

..... Respondent

Through : None.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

ORDER

23.11.2011

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1. This is a petition under Section 11(6) of Arbitration and Conciliation Act, 1996, for appointment of Arbitrator.
2. Notice in this matter was issued. Despite service none appeared on behalf of the respondent.
3. Learned counsel for the plaintiff submits that plaintiff has filed a suit in the Court of District Judge. During the pendency of the suit, respondent had made an application under Section 8 of Arbitration and Conciliation Act for appointment of Arbitrator. The Additional District Judge had then appointed an Arbitrator, however, subsequent thereto an application was filed by the respondent that Additional District Judge is not competent to appoint an Arbitrator, which has led to filing of the present petition.
6. I have heard counsel for the petitioner. Taking into consideration that none has appeared on behalf of the respondent to oppose present petition and having regard to the fact that respondent had moved an

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Arbitrator was appointed by the order of the trial court, which would show that parties had agreed that all disputes are to be referred to a Sole Arbitrator, present petition is allowed. Mr. Jagjit Singh, Advocate, (Cell No.9810152774; Tel.23383535, Chamber No.303, Lawyers' Chamber, DHC), who is present in Court, is appointed as a Sole Arbitrator to adjudicate upon all disputes and differences including claims and counter claims arising between the parties. Fee of the Arbitrator shall be borne by the parties equally as per the schedule maintained by Delhi High Court Arbitration Centre.

7. Petition stands disposed of.

NOVEMBER 23, 2011
msr

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G.S.SISTANI,J

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