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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 225/2011

RAKESH SHARMA

..... Petitioner

Through : Mr. Vikram Kapoor, Mr. Pankaj Kapoor
and Ms. Pooja Kapoor, Advs.

versus

CITI FINANCIAL CONSUMER
FINANCE INDIA LTD

..... Respondent

Through : Mr. Santosh Sachin and Ms. Manali
Singhal, Advs.**CORAM:****HON'BLE MR. JUSTICE G.S.SISTANI****ORDER**
17.11.2011

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1. This is a petition under Section 11 of Arbitration and Conciliation Act seeking appointment of an Arbitrator.
2. Notice was issued in this matter. Mr. Santosh Sachin, Advocate, enters appearance on behalf of the respondent and submits that an Arbitrator was appointed in the month of April, 2011, i.e. prior to filing of the present petition. Counsel further submits that as per the Agreement entered into between the parties the option of appointing an Arbitrator is vested in the lender i.e. respondent and in pursuance thereof the respondent has appointed an Arbitrator.
3. Learned counsel for the petitioner submits that no notice has been received by the petitioner from the Arbitrator. Counsel further submits that petitioner does not have faith in the Arbitrator so appointed.

4. After some hearing, it is agreed between counsel for the parties that even if the Arbitrator has already commenced proceedings, he will

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re-commence the proceedings *de novo* and will issue fresh notice to the petitioner as also to counsel for the petitioner at the addresses mentioned in the present petition. Ordered accordingly. The Arbitrator will ensure that principles of natural justice are complied with and proper opportunity of hearing is granted to the parties.

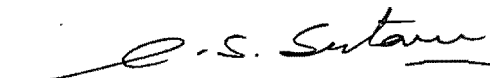
5. Accordingly, as agreed petition stands disposed of in above terms.

6. DASTI.

NOVEMBER 17, 2011

msr

ARB.P. 225/2011


G.S.SISTANI,J

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