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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **ARB.P. 40/2013**

BHAYANA BUILDERS PVT LTD Petitioner
Through **Mr.Arun Kr. Verma, Adv. with**
Mr.Ashish Bansal, Adv.

versus

NOIDA CYBER PARK PVT LTD Respondent
Through **Mr.T.K. Ganju, Sr. Adv. with**
Ms.Udisha Sahay, Adv.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

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31.05.2013

The petitioner has filed the abovementioned petition under Section 11(5) of the Arbitration and Conciliation Act, 1996 for appointment of an arbitrator.

Though the petition has been contested by the respondent, however, at the time of hearing of the petition, it is fairly agreed by the learned counsel for the respondent for appointment of independent sole arbitrator. He submits that some retired ADJ be appointed as sole arbitrator. The suggestion given by the learned counsel for the respondent is acceptable to the learned counsel for the petitioner. Learned counsel for the parties are agreeable that Mr.Prem Kumar, retired ADJ, be appointed as a sole Arbitrator to adjudicate the disputes including their claims and counter-claims. As agreed, Mr.Prem Kumar, retired ADJ, Mob. 9873176030, R/o 68F, Pocket F, Alaknanda Gangotri Enclave, New Delhi, is appointed as

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sole arbitrator to adjudicate the disputes between the parties including their claims and counter-claims. The Arbitrator shall conduct the proceedings under the provisions of the Arbitration and Conciliation Act, 1996 and shall give prior notice before commencing the proceedings. The fees of the learned Arbitrator shall be payable according to the schedule of fees fixed by Delhi High Court Arbitration Centre under its rules.

The petition is accordingly disposed of.

Copies of this order be given *dasti* to the learned counsel for the parties. A copy of the order be also sent to the learned sole Arbitrator.

MANMOHAN SINGH, J. /

MAY 31, 2013/jk