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

+ ARB.P. 332/2015

2 UTTAR PRADESH RAJKIYA NIRMAN LTD ..... Petitioner  
Through: Mr. Raman Kapur, Sr. Advocate with  
Mr. Dhiraj Sachdeva, Advocate.  
versus

ESIC CORPORATION & ANR. .... Respondents  
Through: Mr. S. Wasim A. Qadri and Mr.  
Tamir Qadri, Advocates.

+ ARB.P. 333/2015

3 UTTAR PRADESH RAJKIYA NIRMAN LTD ..... Petitioner  
Through: Mr. Raman Kapur, Sr. Advocate with  
Mr. Dhiraj Sachdeva, Advocate.  
versus

ESIC CORPORATION & ANR. .... Respondents  
Through: Mr. S. Wasim A. Qadri and Mr.  
Tamir Qadri, Advocates.

**CORAM:**  
**HON'BLE MR. JUSTICE J.R. MIDHA**

% **ORDER**  
**19.11.2015**

1. The petitioners are seeking appointment of an arbitrator under Section 11 of the Arbitration and Conciliation Act.
2. Learned counsels for both the parties agree that there is a valid arbitration agreement contained in clause 20.6 of the agreement dated 19<sup>th</sup> August, 2008 and the petitioners have validly invoked the arbitration vide notice dated 12<sup>th</sup> November, 2014.
3. The petitions are allowed and Justice K.K Lahoti (Retd.) is appointed as the sole arbitrator to adjudicate the disputes between the parties including

their claims and counter claims.

4. Learned counsels for the parties submits that the fees of the arbitrator be computed by taking the gross value of both the claims. The prayer is allowed. The learned arbitrator shall compute the fees by taking the gross value of both the cases
5. Learned arbitrator shall ensure the compliance of Arbitration and Conciliation (Amendment) Ordinance, 2015 before commencement of the arbitration,
6. Copy of this order be given *dasti* to counsels for the parties under signature of Court Master.
7. Copy of this order be sent to the learned arbitrator.



J.R. MIDHA, J.

**NOVEMBER 19, 2015**

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