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

+ **FAO(OS) 655/2015**

**M/S MC NALLY BHARAT ENGINEERING CO LTD** ..... Appellant

Through : Mr Rajiv Talwar with Mr Nipu Patiri

versus

**JHABUA POWER LTD & ANR**

..... Respondents

Through : Mr D. K. Malhotra with Mr Rajesh Malhotra

**CORAM:**

**HON'BLE MR. JUSTICE BADAR DURREZ AHMED**

**HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

**ORDER**

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**03.12.2015**

**CM 28526/2015**

Allowed subject to all just exceptions.

**FAO(OS) 655/2015**

We have heard the learned counsel for the parties. This appeal is disposed of as both the parties are agreed that the matter may be proceeded with through arbitration by a sole arbitrator in place of a tribunal consisting of three arbitrators as was agreed upon by the parties in terms of the agreement between the parties. The learned counsel for the parties have also agreed that Justice R. V. Raveendran, a former judge of the Supreme Court, may be nominated as the sole arbitrator. It is ordered accordingly. The learned counsel for the appellant also informed us that Justice Raveendran has given his consent to arbitrate the disputes between the parties. The fees for the arbitration shall be determined by him. The counsel for the parties agree that the venue of arbitration shall be Delhi. The appellant is granted liberty to move an application under Section 17 of the Arbitration and Conciliation Act, 1996 before the learned arbitrator. The learned counsel for the appellant states that a petition under Section 11 (6) of the Arbitration and

Conciliation Act, 1996 had also been filed, which he undertakes to withdraw in view of the order passed in the present appeal.

The appeal stands disposed of.

*Dasti* under the signature of the Court Master.

**BADAR DURREZ AHMED, J**

**DECEMBER 03, 2015**  
**SR**

**SANJEEV SACHDEVA, J**