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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 95/2016**
ROHINI SHARMA

..... Petitioner

Through: Mr. Chandra Shekhar Yadav, Adv.

versus

HINA BHUTANI & ORS.

..... Respondent

Through: Mr. Sushant Kr. Thakur, Adv. with
Mr. Prateek Kr. Srivastava, Adv.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **28.04.2016**

This is a petition under Section 11 of the Arbitration & Conciliation Act. The plea of the petitioner is based on Section 11(5) of the Act inasmuch as the respondent cannot usurp the power of the Court to appoint an arbitrator. On the other hand, the learned counsel for the respondents justifying the appointment of Mr. Rajat Joseph as Arbitrator, states, he would still consent to the appointment of a new Arbitrator by this Court. In view of the statement, Mr. Rajat Joseph shall not act as an Arbitrator henceforth.

Accordingly, this court appoints Justice M.L. Mehta, retired Judge of this Court, who is in the panel of the Delhi International Arbitration Centre

(DAC) as the Sole Arbitrator, who will decide claims and counter claims, if any of the parties in terms of the Rules framed by the Delhi International Arbitration Centre (DAC). The fee of the learned Arbitrator shall also be regulated by the Rules prescribed by the Delhi International Arbitration Centre (DAC). Learned counsel for the respondents submit that a direction be issued for expediting the proceedings before the learned Arbitrator. It is for the parties to make a request to the learned Arbitrator.

Copy of the order be sent to the Co-ordinator, Delhi International Arbitration Centre (DAC).

Petition stands disposed of.

V. KAMESWAR RAO, J

APRIL 28, 2016/ak