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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 239/2016

RAM LAKHAN SINGH & COMPANY

..... Petitioner

Through: Mr. S.K. Upadhyay, Advocate.

versus

HYTHRO POWER CORPORATION LTD

& ANR

..... Respondents

Through: None.

CORAM: JUSTICE S. MURALIDHAR

ORDER

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24.10.2016

1. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 ('Act') seeking the appointment of an Arbitrator to adjudicate the disputes between the parties.
2. Despite service of notice, and a pass over, none appears for the Respondent.
3. The averments made in the petition assert that there is an arbitration clause in the Agreement entered into between the parties remains uncontroverted.
4. The Court accordingly, proposes that Mrs Nandini Sen Mukherjee, Advocate, (Mobile No. 9810099579) be appointed as sole Arbitrator to

adjudicate the disputes between the parties including their claims and counter-claims. The arbitration shall take place under the aegis of the Delhi International Arbitration Centre (DAC). In the first instance, the proposed Arbitrator will make a disclosure to the DAC in terms of Section 11 (8) read with Section 12 (1) of the Act and therefore, enter upon reference. DAC will provide to the parties copies of the said disclosure. In the event, the disclosure is not made within a reasonable time or such disclosure discloses the inability of the proposed Arbitrator to act as such, it will be open to the parties to apply to this Court for directions.

5. Subject to compliance with the above direction, Mrs Nandini Mukherjee will act as Arbitrator and enter upon reference. The fees of Mrs Nandini Mukherjee will be in terms of the Delhi High Court Arbitration Centre (Arbitrators Fees) Rules.

6. The petition is disposed of. A copy of this order be communicated to Mrs.Nandini Mukherjee as well as Additional Coordinator, DAC forthwith.

S. MURALIDHAR, J

OCTOBER 24, 2016

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