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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 121/2016

BMS IT INSTITUTE PVT. LTD

..... Petitioner

Through: Mr. K. Datta with Mr. Kapil Gupta and
Mr. Shantanu, Advocates.

versus

PREMIA STRUCTURES PVT. LTD

..... Respondent

Through: Mr. Jivesh Nagrath with Mr. Jaspreet
Singh, Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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11.11.2016

1. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 ('Act') filed by the Petitioner against the Respondent seeking the appointment of a sole Arbitrator to adjudicate the disputes between the parties.

2. Learned counsel for the parties are agreed that the Court may appoint a sole Arbitrator for adjudication of their disputes.

3. The Court accordingly proposes Justice R.V. Easwar, a former Judge of this Court (Mobile No. 9560899997) 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 thereafter 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.

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

5. The petition is disposed of. A copy of this order be communicated to the learned Arbitrator as well as Additional Coordinator, DAC forthwith.

S.MURALIDHAR, J

NOVEMBER 11, 2016

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