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

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**ARB.P. 435/2016**

**K L STEELS PRIVATE LIMITED**

..... Petitioner

Through: Ms. Deepika Raghav, Advocate.

versus

**LANCO INFRATECH LIMITED**

..... Respondent

Through: Ms. Aditi Sharma, Advocate.

**CORAM: JUSTICE S.MURALIDHAR**

**ORDER**

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**22.11.2016**

1.A reference is sought in this petition under Section 11 of the Arbitration & Conciliation Act, 1996 ('Act') of the disputes arising between the parties out of a purchase order dated 17<sup>th</sup> August 2011 to arbitration.

2. From the perusal of the purchase order, enclosed as Annexure P-2, it is seen that it contains an arbitration clause. It also contains a jurisdiction clause stating that the Court in Delhi alone will have jurisdiction.

3. The fact that the Petitioner has invoked the arbitration clause and sent a notice dated 12<sup>th</sup> March 2016 to the Respondent, raising its claims, is also not in dispute.

4. The Court, accordingly, proposes Mr. Justice A.I.S. Cheema, a former Judge of the Bombay High Court (Mobile Nos.9969108079; 9869553949; 9811787578) as the sole Arbitrator to adjudicate the disputes between the parties including their claims and counter-claims. In the first instance, the

proposed Arbitrator will make a disclosure in terms of Section 11 (8) read with Section 12 (1) of the Act and, thereafter, enter upon reference. 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. The arbitration shall take place under the aegis of the Delhi International Arbitration Centre ('DAC'). The DAC will provide to the parties copies of the said disclosure.

5. Subject to compliance with the above directions, Mr. Justice A.I.S. Cheema 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.

6. 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 22, 2016**  
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