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

+ ARB.P. 263/2016

NUWAY ORGANIC NATURALS INDIA LTD Petitioner

Through Ms.Avnish Ahlawat, Adv. with
Ms.Latika Chaudhary, Adv.

versus

THE GOVT. OF NCT DELHI & ORS. Respondents

Through Mr.Satyakam, ASC with Mr.Aakash,
Adv. for R-1 & 2.
Mr.Abhishek Pundir, Adv. with
Ms.Renuka Arora, Adv. for R-4.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

% **24.05.2016**

Counsel for the petitioner is pressing the prayer only against the respondent no.1. The other respondents are thus deleted from the array of the parties. Amended memo of parties be filed within one week. Issue notice. Learned counsel appearing on behalf of the respondents accepts the notice. Learned counsel for the respondents submit respondent no.1 is taking the steps to appoint the Arbitrator. However, it is not denied that the notice of invocation was received by the respondent no.1 no appointment was made before filing of the petition. Therefore, the Court as per settled law has no option but appoint the Arbitrator. Under these circumstances, Justice Ms.Rekha Sharma (Retd.) (Mob. No.9871300025) is appointed as sole Arbitrator to adjudicate the disputes arising out of the agreement in question between the parties as mentioned in the present petition. Parties are at

liberty to file their respective claims and counter-claims before learned sole Arbitrator. The arbitration shall take place under the aegis of Delhi International Arbitration Centre ('DAC'). The Arbitrator shall ensure the compliance of the provisions of Arbitration and Conciliation (Amendment) Act, 2015 before commencing the arbitration. The fees of the learned Arbitrator shall be in terms of the Delhi International Arbitration Centre (Administrative Cost Arbitrator's Fees) Rules. The parties to appear before the Arbitrator on 11th July, 2016 for directions. The petition is accordingly disposed of.

Copy of this order be given *dasti* to the learned counsel for the parties and a copy thereof be delivered to the learned Arbitrator as well as Additional Coordinator, DAC forthwith.

MANMOHAN SINGH, J.

MAY 24, 2016/vp