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

+ **ARB.P. 301/2016**

**MANNSCHAFT INGENIEURE (I) PVT.
LIMITED**

..... Petitioner

Through: Mr Vinit Trehan, Advocate.

versus

DELHI MSW SOLUTIONS LTD.

..... Respondent

Through: Mr Moni Cinmoy, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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10.11.2016

IA No.6092/2016

1. Allowed, subject to all just exceptions.

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2. The petitioner has filed the present petition under Section 11 of the Arbitration and Conciliation, Act, 1996 (hereinafter the 'Act') praying for appointment of an independent Arbitrator to adjudicate the disputes that have arisen between the parties in relation to a work order dated 12.11.2012 issued by the respondent for erection and commissioning of Ash Handling System. It is stated that the said order was issued in acceptance of the commercial offer made by the petitioner which included an arbitration clause. The said clause is set out below:-

“i. Arbitration

In all cases or disputes which can't be settled by mutual negotiations, the matter shall be referred for arbitration in accordance with provisions of

Indian Arbitration Act, 1996 and rules there under to be read together with all the statutory amendments and modification of the said act. The venue of such arbitration shall be at New Delhi”.

The learned counsel for the respondent does not dispute the existence of an arbitration clause and concurs with the petitioner’s prayer that an independent Arbitrator be appointed.

3. Mr Pawan Kumar Bahl, Advocate (Mobile No.9810045051) , who is present in Court, is appointed as a Sole Arbitrator to adjudicate the disputes between the parties. This is subject to necessary disclosure and qualification under Section 12 of the Act.

4. The petition is disposed of.

5. The parties are at liberty to approach Mr. Bahl for fixing a preliminary hearing.

VIBHU BAKHRU, J

NOVEMBER 10, 2016
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