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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 315/2016

ANSAL BUILDWELL LIMITED

..... Petitioner

Through: Mr. Gurinder Pal Singh, Advocate.

versus

RAMA BHAMRI

..... Respondent

Through: Mr. Manish Verma, Advocate.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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03.10.2016

1. This is a petition under Section 11 (5) of the Arbitration and Conciliation Act, 1996 ('Act') filed by the Petitioner against the Respondent seeking the appointment of an Arbitrator for adjudication of disputes arising out of the Construction Agreement dated 30th April 2011 which contains an arbitration clause.

2. The objection of the Respondent is that the arbitration agreement was entered into between the parties at Jhansi and the subject matter of the dispute viz. the flat in question which had to be handed over by the Respondent is also at Jhansi.

3. As rightly pointed out by learned counsel for the Petitioner, the arbitration clause clearly states that "the venue of arbitration shall be Delhi/New Delhi

and only Courts at Delhi/New Delhi shall have sole and exclusive jurisdiction over the same.” Any other objection the Respondent may have as regards the merits of the claim can be examined by the learned Arbitrator.

4. Accordingly, the Court appoints Ms. Kiran Nath, a former District Judge, residing at T-107, Aam Bagh, Near Andheria Modh, Mehrauli, New Delhi (Mobile No. 9910384659) as an Arbitrator for adjudication of the disputes including claims and counter claims of the parties. The learned Arbitrator shall fix her own terms. The parties are directed to appear before the learned Arbitrator on 17th November 2016 at 11 am or such other time as the learned Arbitrator considers appropriate. The learned Arbitrator will proceed in accordance with the Act as amended in 2015.

5. The petition is disposed of. A certified copy of this order be delivered to the learned Arbitrator forthwith.

S.MURALIDHAR, J

OCTOBER 03, 2016

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