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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 313/2016, IA 6353/2016**
HOUSE OF DIAGNOSTICS LLP

..... Petitioner

Through: Mr. Anil Kher, Sr. Adv. with Mr.
D.R. Bhatia, Adv.

versus

**ESAOTE ASIA PACIFIC DIAGNOSTIC PRIVATE LIMITED &
ANR.**

..... Respondent

Through: Mr. Manu Seshadri, Adv. with Mr.
Devang Gautam, Adv.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **19.05.2016**

IA 6353/2016

Exemption allowed subject to all just exceptions.

Application stands disposed of.

ARB.P. 313/2016

Mr. Anil Kher, learned Senior Counsel for the petitioner, at the outset states, without prejudice to the rights and contention of the petitioner, he wishes to delete respondent No.2 from the array of parties. It is ordered accordingly. Let amended memo of parties be filed during the course of the day.

Mr. Kher would submit, that pursuant to the notice of invocation dated April 17, 2016 of the petitioner, the counsel for the petitioner is in receipt of letter dated May 16, 2016 from the counsel for the respondent wherein the counsel has, on behalf of the respondent, suggested names of three retired Judges, for being appointed as a Sole Arbitrator.

He states that Justice Mukul Mudgal, retired Chief Justice of Punjab & Haryana High Court be appointed as the Sole Arbitrator. Accordingly, this Court appoints Justice Mukul Mudgal as the Sole Arbitrator, who would adjudicate the claims and counter claims, if any of the parties. The learned Arbitrator shall comply with the provisions of Arbitration & Conciliation (Amendment) Act, 2015. The fee of the learned Arbitrator shall be regulated by Schedule IV of the Arbitration & Conciliation Act and shall be shared equally by both the parties. Any ancillary expenditure shall be paid as per actuals, to be shared equally by both the parties.

The petition is disposed of.

Copy of this order be sent to Justice Mukul Mudgal for information at A-1, 2nd Floor, Nizammudin East, New Delhi.

V. KAMESWAR RAO, J

MAY 19, 2016/ak