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

+ ARB.P. 466/2016

M/S B.N. BUILDCON INDIA PVT. LTD. Petitioner

Through: Mr Sandeep Sharma, Ms Risha Mittal
and Mr B. Dhoni, Advocates.

versus

BHOOMIKA INFRABULDCON PVT.LTD. Respondent

Through: Mr Rishab Kaushik and Mr Harshi
Pratap Shahi, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **30.09.2016**

1. The petitioner has filed the present petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996, *inter alia*, praying for appointment of an Arbitrator to adjudicate the disputes that have arisen between the parties in connection with an agreement dated 26.11.2012.
2. The petitioner had appointed Mr Navdeep Sethi as an Arbitrator for adjudicating the disputes. Mr Navdeep Sethi had also entered upon the reference, however, the respondent had objected to his appointment by letter dated 01.04.2015 and had suggested names of some other persons to be appointed as an Arbitrator.
3. Admittedly, the parties could not mutually agree for the appointment of an Arbitrator. And, this led the petitioner to file the present petition.
4. The learned counsel appearing for the respondent has no objection if

an independent Arbitrator is appointed to adjudicate all the disputes between the parties in relation to the aforementioned agreement. Accordingly, Justice R C Jain (Retd.), a former judge of this court is appointed as the Sole Arbitrator to adjudicate the disputes between the parties. Further, with the consent of the parties, it is directed that the Arbitration shall be conducted under the aegis of Delhi International Arbitration Centre (DIAC) and in accordance with its Rules. The representatives of the parties shall appear before the Co-ordinator, DIAC on 21.10.2016 at 11:00 AM.

5. The petition is disposed of.

VIBHU BAKHRU, J

SEPTEMBER 30, 2016
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