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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 409/2016

PEARSON INDIA EDUCATION

..... Petitioner

Through: Mr. Raveesh Thukral, Advocate.

versus

MODERN BOOK HOUSE & ANR & ANR.

..... Respondent

Through: Mr. Rajiv Ranjan Prasad, Mr.R.K.
Gupta, Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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20.10.2016

1. Having heard learned counsel for the parties, the Court is of the view that the disputes can be referred to a sole Arbitrator. The objection that the Respondent has raised in its reply can certainly be raised before the learned Arbitrator in accordance with law.

2. The Court, accordingly, proposes that Ms. Maninder Acharya, Senior Advocate (Mobile No.9810163078, 9810236189) be appointed as sole Arbitrator to adjudicate the disputes between the parties including their claims and counter-claims. The arbitration shall take place under the aegis of the Delhi International Arbitration Centre ('DAC'). In the first instance the proposed Arbitrator will make a disclosure to the DAC in terms of Section 11 (8) read with Section 12 (1) of the Act and thereafter enter upon

reference. DAC will provide to the parties copies of the said disclosure. In the event the disclosure is not made within a reasonable time or such disclosure discloses the inability of the proposed Arbitrator to act as such, it will be open to the parties to apply to this Court for directions.

3. Subject to compliance with the above direction, Ms. Maninder Acharya will act as Arbitrator and enter upon reference. The fees of the learned Arbitrator will be in terms of the Delhi High Court Arbitration Centre (Arbitrators' Fees) Rules.

4. The petition is disposed of. A copy of this order be communicated to Ms. Acharya as well as Additional Coordinator, DAC forthwith.

S.MURALIDHAR, J

OCTOBER 20, 2016/mg