

\$~

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

15.

+

ARB.P. 497/2016

BIRENDER SINGH

..... Petitioner

Through: Mr. Avinash Trivedi, Advocate.

versus

DELHI STATE INDUSTRIAL & INFRASTRUCTURE

DEVELOPMENT CORPORATION LTD.

..... Respondent

Through: Mr. Moni Cinmoy, Advocate.

CORAM: JUSTICE S. MURALIDHAR

ORDER

%

17.10.2016

1. The first objection raised to the appointment of an Arbitrator is that the Petitioner has not followed the process envisaged under the relevant clause of the contract by writing to the Chief Engineer. According to the Respondent, the Petitioner instead wrote directly to the Managing Director. The Court does not consider it to be a serious objection. The Managing Director could have easily referred the matter to the concerned Chief Engineer.

2. It is then stated that the arbitration clause envisages the appointment of Arbitrator by the Chief Engineer or Director General of Works, CPWD. With the Respondent having failed to appoint an Arbitrator, the above plea is to no avail.

3. Having heard learned counsel for the parties, the Court appoints Ms. Isha Khanna, Advocate (Mobile No. 9811054386) 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'). 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 the learned Arbitrator as well as Additional Coordinator, DAC forthwith.

S. MURALIDHAR, J

OCTOBER 17, 2016
mg