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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 318/2015

RISE PROMOTERS & DEVELOPERS (P) LTD. Petitioner
Through: Mr. Manu Mishra, Advocate.

versus

MTNL EMPLOYEES HOUSE WELFARE SOCIETY
(REGD.) Respondent
Through: None.

CORAM: JUSTICE S. MURALIDHAR

ORDER

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10.11.2016

1. None appears for the Respondent despite a pass over.
2. The Respondent is proceeded against *ex parte*.
3. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 ('Act') for the appointment of an Arbitrator to adjudicate the disputes between the parties arising out of a contract dated 25th May, 2009 entered into between the parties for planning, construction and development of a group housing project.
4. The assertion of the Petitioner as regards the existence of an arbitration clause in the agreement between the parties and its invocation by the Petitioner by a legal notice dated 12th November, 2014 remains uncontroverted.

5. The Court accordingly appoints Mr. Justice V.K. Bali, former Chief Justice of Kerala High Court (Mob. No. 9910300236) 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.

6. 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

NOVEMBER 10, 2016

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