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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 704/2016

ANUP GUPTA

..... Petitioner

Through: Mr. K. Datta and Ms. Prachi Johri,
Advocates.

versus

EXPERION DEVELOPERS PVT. LTD.

..... Respondent

Through: Mr. S. Ravishankar and Mrs. Yanunah
Nachiar, Advocates.

CORAM: JUSTICE S. MURALIDHAR

ORDER

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10.11.2016

ARB.P. 704/2016 & IA No. 13925/2016

1. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 ('Act') for appointment of an Arbitrator to adjudicate the disputes between the parties.

2. The parties agree that the disputes between them can be referred to an Arbitrator to be appointed by the Court in terms of the arbitration clause in the Apartment Buyer Agreement dated 15th June, 2013 entered into between them.

3. The Court, accordingly, proposes Mr. S.K. Sarvaria, a former District Judge, Delhi (Mob. No. 9910384642) 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 Arbitrator will be in terms of the Delhi High Court Arbitration Centre (Arbitrators' Fees) Rules.

4. 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.

5. The petition and the application are 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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