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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 813/2016

M/S GUPTA BROS INDIA

..... Petitioner

Through: Mr. S.K. Maniktala, Mr. Vinod Kumar
Mr. Swetab Kumar, Advocates.

versus

GAIL INDIA LIMITED

..... Respondent

Through: Ms. Purnima Maheshwari, Advocate.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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22.12.2016

IA 15983 of 2016 (exemption)

1. Allowed, subject to all just exceptions.

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2. The parties are agreeable to the Court appointing a sole Arbitrator to adjudicate the disputes between the parties.

3. The Court, accordingly, proposes that Mr. Justice Aftab Alam, a former Judge of the Supreme Court (Tel. No. 23017249) shall be the sole Arbitrator to adjudicate the disputes between the parties including their claims and counter-claims. In the first instance, the proposed Arbitrator will make a disclosure in terms of Section 11 (8) read with Section 12 (1) of the Arbitration and Conciliation Act 1996 as amended with effect from 23rd October 2015 and, thereafter, enter upon reference. 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.

4. Learned counsel for the Respondent states that since the consent of the proposed Arbitrator has already been obtained by the Respondent to act as such, his terms will be governed by the terms and conditions determined by the Respondent. The parties will approach the learned Arbitrator for further directions.

5. The petition is disposed of in the above terms. A certified copy of this order be delivered to the proposed Arbitrator, Mr. Justice Aftab Alam forthwith.

S.MURALIDHAR, J

DECEMBER 22, 2016

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