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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 428/2015

PRATIHAR INFRA ENGINEERS PVT LTD. Petitioner
Through: Mr. Swastik Singh, Advocate.

versus

MARG LTD. Respondent
Through: Mr. Anand Shankar, Advocate.

CORAM: JUSTICE S. MURALIDHAR

ORDER

24.10.2016

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1. Having heard learned counsel for the parties, the Court finds that there is no objection to the disputes between the parties being referred to arbitration.

2. The Respondent has proposed three names for that purpose.

3. The Court, accordingly proposes Mr. Kashi Prasad Khemka to 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.

4. Subject to compliance with the above direction, Mr. Kashi Prasad Khemka 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.

5. If there is any difficulty, it will be open to either parties to apply to the Court for directions.

6. The petition and the applications are disposed of. A copy of this order be communicated to Mr. Kashi Prasad Khemka as well as Additional Coordinator, DAC forthwith.

S. MURALIDHAR, J

OCTOBER 24, 2016/dn