

\$~
*
7.
+

IN THE HIGH COURT OF DELHI AT NEW DELHI

ARB.P. 555/2015

SATISH KUMAR MISHRA Petitioner
Through: Mr. Sahil Pahuja, Advocate.

versus

HARISH AGGARWAL Respondent
Through: Mr. P N Malhotra, Adv.

CORAM: JUSTICE S. MURALIDHAR

ORDER
27.10.2016

%

1. The only objection that the Respondent has raised to the appointment of an Arbitrator is that there are some proceedings pending in the Court of Additional Sessions Judge at Saket arising out of an FIR that has been registered against the Petitioner at the instance of the Respondent. That is an independent remedy being pursued by the Respondent. It does not affect the right of the Petitioner to seek reference of the disputes to arbitration in terms of the arbitration clause in the agreement.

2. The Respondent does not deny that there is an arbitration clause in the agreement between the parties. In terms of thereof the place of arbitration is at Delhi. The fact that the Petitioner sent a legal notice dated 23rd May, 2014 seeking the appointment of an Arbitrator is also not in dispute.

3. The Court accordingly appoints Mr. Mukul Talwar, Sr. Advocate (Mobile

No: 9810576660) 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 27, 2016
VLD