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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ ARB.P. 588/2015

DEVESH BHARGAVA Petitioner
Through Mr.Rahul Malhotra, Adv.

versus

HINDUSTAN LIFECARE LIMITED & ORS. Respondents
Through Mr.J.K. Chaudhary, Adv. with
Mr.Jaiprakash & Mr.Nikhilesh
Krishanan, Adv.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER
% **21.03.2016**

Learned counsel for the petitioner has pointed out the order dated 16th December, 2015 whereby two weeks time was granted to the respondents to appoint the Arbitrator. It is specifically mentioned that in case the respondents will not appoint the Arbitrator, the right to appoint the Arbitrator shall be forfeited.

Learned counsel for the petitioner submits that the said order has not been complied with by the respondents. The present petition has been filed by the petitioner under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator.

Heard. With the consent of the parties, the prayer made in the petition is allowed. Mr.Koka Raghava Rao, Senior Advocate (Mob. No.9971259053, Email: kokaraghavarao@yahoo.com), who is already

Empanelled Arbitrator in Delhi International Arbitration Centre, is appointed as sole Arbitrator to adjudicate the disputes arising out of the agreement in question between the parties as mentioned in the present petition. The parties are also allowed to file their respective claims and counter-claims before the Arbitrator. Liberty is granted to the respondent to raise all the grounds as mentioned in the reply to the petition.

The arbitration shall take place under the aegis of Delhi International Arbitration Centre ('DAC'). The Arbitrator shall ensure the compliance of the provisions of Arbitration and Conciliation (Amendment) Act, 2015 before commencing the arbitration. The fees of the learned Arbitrator shall be in terms of the Delhi International Arbitration Centre (Administrative Cost Arbitrator's Fees) Rules.

The petition is accordingly disposed of.

Copy of this order be given *dasti* to the learned counsel for the parties and a copy thereof be delivered to the learned Arbitrator as well as Additional Coordinator, DAC forthwith.

MANMOHAN SINGH, J.

MARCH 21, 2016/vp