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

+ **ARB.P. 605/2015**

MAGNAQUEST TECHNOLOGIES LTD. Petitioner
Through **Mr.Gautam Kumar, Adv.**

versus

TRIPLEPLAY INTERACTIVE NETWORK PVT. LTD. Respondent
Through **Mr.S.V. Vats, Adv. with Mr.P. Ramesh, Adv.**

CORAM:
HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER
% **25.04.2016**

The present petition has been filed by the petitioner under Section 11(5) read with Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator.

Reply has been filed. Rejoinder is not filed. Learned counsel for the respondent, upon instructions, submits that the respondent has no objection if the sole Arbitrator be appointed to adjudicate the disputes between the parties. He further submits that the respondent wishes to raise counter claims against the petitioner and the same would be raised before the learned Arbitrator.

With the consent of the parties, the prayer made in the petition is allowed. Mr. Justice Anil Kumar, Retd. Judge of this Court, (Mobile No. 9818000140), B-33, Panchsheel Enclave, New Delhi -110017 is appointed as sole Arbitrator to adjudicate the disputes arising out of the agreement in

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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 within two weeks. Liberty is granted to the respondent to raise all the grounds as mentioned in the reply to the petition. The Arbitrator shall file the affidavit of "no conflict of interest".

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 parties to appear before the Centre on 11th May, 2016 for directions.

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.

APRIL 25, 2016/jk