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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 686/2015

SURJMAL YADV

..... Petitioner

Through: Mr. M.K. Singh, Adv.

versus

DELHI STATE INDUSTRIAL AND INFRASTRUCTURE

..... Respondent

Through: Ms. Neha Rastogi, Adv. for
GNCTD/R-1

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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06.01.2016

Mr. Animesh Rustogi, the learned proxy counsel for respondent, states upon instruction, that in terms of the notice invoking arbitration, the process for the appointment of an Arbitrator has been initiated.

The Court would note that a letter was received by the respondent on 26.08.2015. The time period for appointment of the Arbitrator is long over. In the circumstances, in view of the dicta of the Supreme Court in ***Deep Trading Co. Vs. Indian Oil Corpn. (2013) 4 SCC 35***, the respondent has lost its right to appoint the Arbitrator.

In the circumstances, Justice (Retd.) Vikramajit Sen, (Mobile No.9560933366), a former Judge of the Supreme Court of India and this Court, is appointed as the Arbitrator. The fees of the arbitration

shall be fixed by the learned Arbitrator himself before whom the parties shall appear on 13.01.2016.

A copy of this order be sent to learned Arbitrator.

The petition stands disposed off in the above terms.

NAJMI WAZIRI, J

JANUARY 06, 2016/acm