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

+ ARB.P. 670/2015

INDIA TUBE MILLS & METAL INDUSTRIES PVT. LTD.

..... Petitioner

Through Ms. Radhika Arora & Mr. Manish
Sharma, Advocates

versus

ABIR INFRASTRUCTURE PVT.LTD.

..... Respondent

Through Mr. Arun Khatri, Advocate

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

% **01.06.2016**

The petitioner has filed the present petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator for the respondent, as the petitioner has already appointed his nominee Arbitrator in terms of the Arbitration Clause 21 of the Work Order in question.

When the matter was listed on 11th May, 2016, the suggestion was made by both the counsel that instead of panel members, sole arbitrator be appointed to adjudicate the disputes between the parties. Both counsel sought time to take the instructions from their respective clients in this regard. The matter is taken up today. Learned counsel for both the parties, upon instructions, state that they have no objection if a sole Arbitrator be appointed instead of panel members.

With the consent of the parties, Justice Manmohan Sarin, Former Chief Justice of J & K High Court (Mobile No.9818000210) is appointed as sole Arbitrator to adjudicate the disputes arising 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.

The learned 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 schedule of the Amended Act. The parties to appear before the Arbitrator on 11th July, 2016 at 4:00 pm 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 forthwith.

MANMOHAN SINGH, J.

JUNE 01, 2016

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