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

+ ARB.P. 17/2016

KBSH PVT. LTD

..... Petitioner

Through Mr.K.Datta, Adv. with
Mr.Manish Srivastava &
Mr.Rahul Malhotra, Adv.

versus

SOLAR CREATIONS PVT. LTD.

..... Respondent

Through Mr.Ravi Prakash, Adv. with
Ms.Anusha Jacob, Adv.

+ O.M.P.(I) (COMM.) 57/2015

KBSH PVT. LTD

..... Petitioner

Through Mr.K.Datta, Adv. with
Mr.Manish Srivastava &
Mr.Rahul Malhotra, Adv.

versus

SOLAR CREATIONS PVT. LTD.

..... Respondent

Through Mr.Ravi Prakash, Adv. with
Ms.Anusha Jacob, Adv.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

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09.02.2016

Upon instructions from their respective clients, learned counsel for the parties have stated that the abovementioned petitions be disposed of, with the following directions which are being passed with the consent of the parties:-

- (i) As agreed, Mr.Arun Kathpalia, Advocate (Mobile No.9810115271) is appointed as sole Arbitrator to adjudicate the disputes 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 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) Ordinance, 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, which would be shared by both the parties in equal proportions.
- (ii) With the consent of the parties, the interim order passed on 11th December, 2015 in OMP(I) (COMM.) No.57/2015, wherein part of the reliefs has been granted in favour of the petitioner, is made absolute during the pendency of the arbitration proceedings.
- (iii) As agreed, with regard to the other reliefs claimed in the petition which were not granted by the order dated 11th December, 2015, liberty is granted to the petitioner to file the fresh application, if necessary, under Section 17 of the Arbitration and Conciliation Act, 1996.

Both the petitions are 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.

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MANMOHAN SINGH, J.

FEBRUARY 09, 2016/ka

-1A U/S 151, CPC for condonation
of delay