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HIGH COURT OF CHHATTISGARH, BILASPUR**Arbitration Application No. 16 of 2014**

High Point Rendel (India) Ltd. Swastik House, Upper Bazar, Gandhi Chowk,
Ranchi-834001, Through Shri Priya Ranjan, Authorised Representative.

----Applicant**Versus**

Chief Executive Officer, Chhattisgarh Rural Road Development Agency, Vikas
Bhawan, Civil Lines, Raipur, Chhattisgarh.

---Respondent

For Applicant	: Shri Mukesh Sharma, Advocate.
For Respondent	: Shri Y.S.Thakur, Additional Advocate General.

Hon'ble Shri Deepak Gupta, Chief Justice**Order on Board****13/01/2017**

1. This is an application under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator.
2. The undisputed facts are that the Applicant and the Respondent entered into a contract whereby the Applicant was required to provide specialised consultancy service for construction of roads under the Pradhan Mantri Gramin Sadak Yojna. The Applicant claims that a huge amount is still due and payable to it. This is being disputed by the Respondent.
3. In view of the above, it is obvious that a dispute has arisen out of the contract and as per the agreement entered into between the parties, there is an arbitration clause whereby the disputes have to be referred to the International Chamber of Commerce for arbitration.
4. Learned counsel for the Applicant prays that the dispute may not be referred to the International Chamber of Commerce because they have

demanded Rs. 60 Lacs as initial fee which is very high and would itself negate the concept of justice.

5. Shri Thakur, learned Additional Advocate General for the Respondent submits that he has no objection if the matter is not sent to the International Chamber of Commerce as long as an independent Arbitrator is appointed.

6. Keeping in view the nature of dispute, I appoint Shri Justice Dharendra Mishra, a retired Judge of High Court of Chhattisgarh, residing at "Shyam Sadan", Tilak Nagar, Bilaspur as Arbitrator in the case.

7. The Applicant and the Respondent may file their claim/counter-claim before the aforesaid Arbitrator within a period of four weeks from today who is requested to dispose of the matter within the time prescribed in the Arbitration and Conciliation Act, 1996, as amended.

8. The parties are directed to appear before the Arbitrator on 5th March, 2017.

9. Registry is directed to send a copy of this order to Shri Justice Dharendra Mishra so as to reach within one week from today.

10. The arbitration application is accordingly disposed of.

Sd/-

(Deepak Gupta)
CHIEF JUSTICE