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

+ ARB.P. 439/2016

M/S HOSMAC PROJECTS Petitioner

Through Mr.Himanshu Chaubey, Adv.

versus

MINISTRY OF HEALTH AND FAMILY

WELFARE & ANR. Respondents

Through Mr.Praveen Kumar Jain, Adv.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

23.08.2017

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1. This petition is filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an arbitrator.
2. I may point out that on 27.01.2017 this court had disposed of the petition noting that notwithstanding, the arbitration clause requiring a three-member Arbitral Tribunal, the parties had agreed that a sole arbitrator be appointed. This court had appointed Mr. Justice T.S.Thakur, former Chief Justice of India as the sole Arbitrator. Parties also agreed that the fees of the learned Arbitrator shall be fixed as per the Schedule to the Amended Act.
3. However, a communication was received from the Secretary to Justice T.S.Thakur expressing inability to spare the estimated time required for hearing the arbitration proceedings. Hence, on 06.03.2017 this petition was revived.

4. The parties were sent to the Delhi High Court Mediation and Conciliation Centre to try and settle the matter. Settlement has not been possible.
5. Accordingly, I appoint Mr. Justice Devinder Gupta (Retd.) (Mobile No.9818065456) as the sole Arbitrator to adjudicate the disputes between the parties.
6. Parties to appear before the learned Arbitrator on 05.09.2017 at 4.00 p.m.

JAYANT NATH, J

AUGUST 23, 2017
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