

\$~OS-2

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

+ ARB.P. 268/2017

SPRINT ENGINEERING PVT. LTD Petitioner
Through Mr.Pervinder, Adv.

versus

PRAKASH INDUSTRIES LTD. Respondent
Through Mr.Rohit Chaudhary and Ms.Ankita
Patnaik, Advs.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **04.08.2017**

This petition is filed under section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator on behalf of the respondent. It is urged that as per the purchase orders dated 30.4.2015 and 10.5.2014 there is an arbitration clause whereby disputes and differences are to be referred for adjudication to three Arbitrators one to be nominated by each party and third by the two Arbitrators, so appointed.

Learned counsel appearing for the respondent has initially objected to the present petition pointing out that under the legal notice sent by the petitioners dated 19.10.2016, the petitioners never nominated their own Arbitrator but requested the respondent to first nominate its Arbitrators.

After some arguments, learned counsel for the parties have agreed that each of the party would nominate an Arbitrator in terms of the

arbitration clause within three weeks from today. The learned Arbitrators shall thereupon nominate the Presiding Arbitrator.

With the above directions, present petition stands disposed of. All pending applications, if any, also stand disposed of accordingly. The disputes stated in the present petition shall be referred to the Arbitral Tribunal so constituted.

JAYANT NATH, J

AUGUST 04, 2017

n