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

+ ARB.P. 262/2017

SUSHILA SHARMA ..... Petitioner  
Through Mr.Pratap Sahni, Advocate

versus

SUNIL KUMAR SHARMA & ANR. .... Respondents  
Through Mr.Suresh Agarwal, Adv. for R-1  
Mr.D.K.Sharma, Adv. for R-2

**CORAM:**

**HON'BLE MR. JUSTICE JAYANT NATH**

**ORDER**

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**15.09.2017**

1. This petition is filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (*hereinafter referred to as 'the Act'*) seeking appointment of a sole arbitrator to adjudicate the disputes between the parties.
2. It is the contention of the petitioner that the defendants in the year 1985 constituted a partnership firm in the name of M/s. Bhardwaj Enterprise vide partnership deed dated 25.02.1985. On 03.10.1994, the petitioner was inducted as a partner in the said firm, i.e. M/s Bhardwaj Enterprises.
3. Disputes having arisen between the parties, litigation arise between the parties. A criminal complaint was also filed by the petitioner. The petitioner filed a suit for permanent injunction against respondent Nos.1 and 2 to restrain them from creating any hindrance in her way to enter the partnership property. An application under Section 8 of the Act was filed by

respondent No.1 and the same was allowed by the trial court on 23.03.2017. Hence the present petition.

4. The learned counsel for the respondents at the outset submits that he has no objection in case a sole arbitrator is appointed. However, he submits that he has filed his reply. Reply be taken on record.

5. The partnership deed dated 03.10.1994 has an arbitration clause being clause 14, which provides that dispute as stated above therein would be dealt with under the arbitration act.

6. Accordingly, I appoint Mr.Subhash Mishra, Advocate (Mobile No.9810220186) as the sole arbitrator to adjudicate the dispute between the parties. The arbitration shall take place under the aegis of Delhi International Arbitration Centre, New Delhi (*in short 'The DIAC'*). A copy of this order be sent to the DIAC and to the learned arbitrator.

7. Petition stands disposed of as above.

**JAYANT NATH, J.**

**SEPTEMBER 15, 2017/v**