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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 510/2016

**EDUCOMP INFRASTRUCTURE AND SCHOOL
MANAGEMENT LIMITED**

..... Petitioner

Through: Mr. Achint Singh Gyani with
Ms. Khushboo Khatreja, Advocates.

Versus

WESTERN EDUCATION SOCIETY AND ANR Respondents

Through: Mr. D. Aditya Soni, Advocate.

CORAM: JUSTICE S.MURALIDHAR

ORDER

12.01.2017

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1. This is a petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996 ('Act') seeking the appointment of a sole Arbitrator to adjudicate the disputes between the parties arising out of the Service Agreement dated 21st December, 2008 entered into between the Petitioner and Respondent No. 1. The Petitioner has, by its letter dated 27th January 2016, invoked the arbitration clause.

2. Learned counsels for the Parties agree that reference of the disputes may be made to the sole Arbitrator who is a former Judge of this Court.

3. The Court, accordingly, appoints Mr. Justice V.B. Gupta, a former Judge of this Court (Mobile No. 9871300039) as a sole Arbitrator to adjudicate the

disputes between the parties including their claims and counter-claims. The arbitration shall take place under the aegis of the Delhi International Arbitration Centre ('DAC'). In the first instance, the Arbitrator will make a disclosure to the DAC in terms of Section 11 (8) read with Section 12 (1) of the Act and thereafter enter upon reference. DAC will provide to the parties copies of the said disclosure. In the event the disclosure is not made within a reasonable time or such disclosure discloses the inability of the proposed Arbitrator to act as such, it will be open to the parties to apply to this Court for directions.

4. Subject to compliance with the above direction, Mr. Justice V.B. Gupta will act as Arbitrator and enter upon reference. The fees of the learned Arbitrator will be in terms of the Delhi High Court Arbitration Centre (Arbitrators' Fees) Rules.

5. The petition is disposed of. A copy of this order be communicated to the learned Arbitrator as well as Additional Coordinator, DAC forthwith.

S.MURALIDHAR, J

JANUARY 12, 2017

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