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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 525/2016

PRITHIVIRAJ THAREJA & ANR

..... Petitioners

Through: Mr. Arvind Kumar Pandey, Advocate for
Ms. Moni Cinmoy, Advocates.

versus

COFFEE DAY GLOBAL LTD

..... Respondent

Through: None.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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25.01.2017

1. None appears for the Respondent despite one pass over. The Respondent is proceeded *ex parte*.
2. The existence of the arbitration clause in the Lease Agreement dated 25th July, 2014 and the fact of the Petitioners having invoked the arbitration clause by their legal notice dated 21st May, 2016 is not in dispute.
3. Accordingly, this Court appoints Mr. Anil Kumar Kathuria, Advocate (Mobile No. 9810131454) as the sole Arbitrator to adjudicate the disputes between the parties including claims and counter-claims. The arbitration shall take place under the aegis of the Delhi International Arbitration Centre ('DAC'). In the first instance, the proposed 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. Anil Kumar Kathuria 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 Mr. Anil Kumar Kathuria as well as Additional Coordinator, DAC forthwith.

S.MURALIDHAR, J

JANUARY 25, 2017

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