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

\+ O.M.P.(MISC.)(COMM.) 4/2017 and IA Nos. 5313-5314/2017

MAN INDUSTRIES (INDIA) LIMITED ..... Decree Holder

Through: Mr Manan Shukla and Mr Satyendra Kumar, Advocates.

versus

GAIL (INDIA) LIMITED ..... Judgement Debtor

Through: Ms Manmeet Arora and Ms Sanam Tripathi, Advocates.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

O R D E R

% 16.05.2017

1. The learned counsel appearing for the respondent states, on instructions, that the respondent has no objection if an independent arbitrator be appointed. The learned counsel for the petitioner also concurs for appointment of an independent arbitrator. With the consent of the parties, the mandate of Justice S.L. Bhayana (Retd.) as the arbitrator is terminated and, Justice R.V. Easwar (Retired) is appointed as the sole arbitrator to adjudicate the disputes between the parties. This is subject to the arbitrator making the necessary disclosure under Section 12 of the Arbitration and Conciliation Act, 1996 and not being ineligible under Section 12(5) of the said Act. He shall continue the proceedings from the same stage as left by the earlier arbitrator.

2. Needless to mention that the arbitrator shall adjudicate the disputes uninfluenced by any observations made by either parties in their pleadings in the present proceedings.

3. Justice R.V. Easwar (Retd.) shall complete the proceedings within a period of one year from entering upon reference. The parties shall collect the record from the earlier arbitrator and file the same before Justice R.V. Easwar (Retd.) within a period of two weeks from today. The parties are at liberty to approach the arbitrator for fixing a schedule for further proceedings.

3. The petition and the pending applications are disposed of.

VIBHU BAKHRU, J

MAY 16, 2017
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