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

+ CS(OS) 3723/2014

M/S DIGICALL GLOBAL PVT LTD

..... Plaintiff.

versus

BLS INTERNATIONAL SERVICES LTD

..... Defendant.

✓ + CS(OS) 478/2016

BLS INTERNATIONAL SERVICES LTD.

..... Plaintiff.

versus

M/S DIGICALL GLOBAL (P) LTD.

..... Defendant.

Present: Mr.Vishesh Issar and Mr.Varun Sharma, Advocates for M/s Digicall Global Pvt. Ltd.

Mr.Arvind Sharma and Mr.Anant Kannojiya, Advocates for BLS International Services Ltd.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **02.11.2017**

1. This suit is filed for seeking a decree for recovery of Rs.65,34,366.60/-. The defendant has filed a counter-claim seeking recovery of Rs.2,90,64,600/-.

2. While hearing arguments on I.A.20382/2015 which is filed under Section 8 of the Arbitration and Conciliation Act, 1996 (*hereinafter referred as 'the Act'*) by the defendant, the parties have entered into a settlement. As per the settlement, the parties have agreed that both the matters can be adjudicated upon by a learned arbitrator to be appointed by this court. It has

also been agreed upon that the learned arbitrator will commence proceedings at the stage at which the present suit and counter-claim had reached. Accordingly, Mr. Amar Nath (Retd. District & Sessions Judge) (Mobile No.: 9958697030) is appointed as the Sole Arbitrator to adjudicate the dispute between the parties including the claim of the plaintiff in the plaint and the claim of the defendant in the counter-claim. The parties will file the respective pleadings which were filed in this court and respective documents before the learned arbitrator. The parties will also place on record the admission/denial of documents that was carried out before the Joint Registrar of this court. The learned arbitrator may commence proceedings at the stage at which the proceedings had reached in this court. The learned arbitrator is requested to fix his fees as per Schedule IV of the Act.

3. As the parties have agreed to settle the matter through arbitration in terms of Section 16 of Court Fee Act, 1870, both the parties are entitled to refund of the court fee. The suit and counter-claim stand disposed of accordingly.

4. The parties to appear before the learned arbitrator on 08.12.2017.



JAYANT NATH, J

NOVEMBER 02, 2017

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