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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 387/2017

RAJEEV VIJ

..... Petitioner

Through : Ms.Gayatri Aryan, Adv.

versus

KAMAL SARAF & ORS.

..... Respondent

Through : Ms.Sukriti Gandhi, Adv.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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16.11.2017

This petition is filed for appointment of an arbitrator to settle the dispute between the petitioner and the respondent, who became partners of M/s New Indian Roadways vide a Partnership Deed dated 1.4.1997. Clause 15 of the partnership deed dated 1.4.1997 run as under :-

*15. That any dispute or difference which may arise between the parties or their representatives with regard to the construe-
tion meaning and effect of this deed or any
part thereof or respecting the accounts, profits
or losses of the business or any others matter
relating to the partnership business either
during or author the partnership shall be
referred to Arbitration under Indian
Arbitration Act then in force at the time of
disputes.*

The respondents Nos.1,2,3,5,6,7,8 and 10 were served but none appeared and were proceeded ex-parte vide order dated 25th September, 2017. Though the respondent No.5 has expired but his legal heirs are already on record as respondents Nos.1 to 3. Counsel for respondent Nos.9 and 11 has appeared and submits that she shall be filing her *vakalatnama* during the course of the day but has no objection to the appointment of arbitrator.

In the circumstances, Mr.Rakesh Kapoor (Retd. District Judge) (Mobile: 9910384621) is appointed as the arbitrator to arbitrate the dispute between the parties. His fees shall be fixed in consultation with the parties.

The petition is disposed of.

YOGESH KHANNA, J

NOVEMBER 16, 2017

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