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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 667/2016

TEAM INFRASTRUCTURE PVT LTD. Petitioner
Through: Mr. Prateek Gupta, Advocate

versus

A.G INTERNATIONAL Respondent
Through: None.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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20.01.2017

1. Despite service, none appears on behalf of the Respondent. The Respondent is, accordingly, set *ex parte*.
2. There is no opposition to the prayer made in this petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996 for the appointment of an Arbitrator.
3. The existence of arbitration clause in the agreement between the parties and its invocation by the Petitioner by letter dated 28th July, 2016 is not in dispute.
4. The Court, accordingly, proposes Mr. Justice V.B. Gupta, a former Judge of this Court (Mobile No. 9871300039) as the sole Arbitrator to adjudicate the disputes between the parties including their claims and counter-claims. In the first instance, the proposed Arbitrator will make a disclosure in terms of Section 11 (8) read with Section 12 (1) of the Act and, thereafter, enter

upon reference. 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. The arbitration shall take place under the aegis of the Delhi International Arbitration Centre ('DAC'). The DAC will provide to the parties copies of the said disclosure.

5. 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.

6. The petition is disposed of. A copy of this order be communicated Mr. Justice V.B. Gupta as well as Additional Coordinator, DAC forthwith.

S.MURALIDHAR, J

JANUARY 20, 2017

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