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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 828/2016

NAVEEN SAROHA

..... Petitioner

Through: Mr. Rishi Vohra, Advocate.

versus

AIRLINE ALLIED SERVICES LIMITED

..... Respondent

Through: Mr. Shlok Chandra and Mr. Gunjan,
Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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02.01.2017

IA No. 16275/2016 (for delay)

1. For the reasons stated therein, this application is allowed. The delay of 41 days in re-filing the petition is condoned.

IA No. 16274/2016 (exemption)

2. Allowed, subject to all just exceptions.

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3. Notice. Mr. Shlok Chandra, learned counsel accepts notice on behalf of the Respondent.

4. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 ('Act') seeking the appointment of an Arbitrator to adjudicate the

disputes between the parties arising out of an Agreement dated 11th November, 2011 titled 'Fixed Term Employment Agreement'. The said agreement contains an arbitration clause which is not disputed by learned counsel for the Respondent.

5. Learned counsels for the parties agree that this Court can appoint a sole Arbitrator to adjudicate the disputes between the parties.

6. The Court, accordingly, proposes that Mr. Sitab Ali Chaudhary, Advocate (Mobile No. 9810190786) be the sole Arbitrator to adjudicate the disputes between the parties including their claims and counter-claims. The arbitration shall take place under the aegis of the Delhi International Arbitration Centre ('DAC').

7. 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.

8. Subject to compliance with the above direction, Mr. Chaudhary 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.

9. The petition is disposed of. A copy of this order be communicated to the learned Arbitrator as well as Additional Coordinator, DAC forthwith.

S.MURALIDHAR, J

JANUARY 02, 2017

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