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

+ ARB.P. 684/2016

RAJIV AGGARWAL Petitioner
Through: Mr.Sanjay Bansal, Advocate.

versus

DELHI TRANSPORT INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD & ANR. Respondents
Through: Proceeded *Ex parte* today.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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23.01.2017

1. None appears for the Respondents despite service. The matter was passed over once and yet none has appeared for the Respondents. They are, accordingly, proceeded *ex parte*.
2. The existence of the arbitration clause and its invocation by the Petitioner is not controverted.
3. The Court, accordingly, proposes that Ms. Bimla Makin, former District & Sessions Judge (Mobile No.9910384624) be appointed as 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'). 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.

4. Subject to compliance with the above direction, Ms. Bimla Makin 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.

5. The petition is disposed of. A copy of this order be communicated to Ms. Bimla Makin as well as Additional Coordinator, DAC forthwith.

S. MURALIDHAR, J.

JANUARY 23, 2017
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