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

+ **ARB.P. 718/2016**

M/S VARDHMAN PRECISION PROFILES Petitioner

Through Ms.Anusuya Salwan, Mrs. Renuka
Aora and Ms.Nikita Salwan, Adv.

versus

M/S PREMCO RAIL ENGINEERS LTD Respondent

Through Mr.Randhir Jain and Mr. Bhoop
Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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11.05.2017

1. This petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the Act) to adjudicate upon the disputes between the parties.
2. Leaned counsel for the petitioner has taken me through Clause 16 of the Agreement between the parties which provides for constitution of an arbitral tribunal and also states that the arbitration proceedings shall not be held in Delhi or in Calcutta.
3. After some arguments, learned counsel for the respondent submits that he has no objection in case a sole arbitrator is appointed by this court to adjudicate upon the disputes in Delhi. He submits that he is making the submission without prejudice to his rights and contentions that the claim of the petitioner is barred by limitation.

4. Learned counsel for the petitioner has no objection to appointment of a sole arbitrator by this court who would adjudicate the disputes in Delhi. She makes the submission without prejudice to rights and contentions of the petitioner.
5. Accordingly, Mr. Justice M.L. Mehta (Retd.) (Mobile No. 9910384620) is appointed as the Arbitrator to adjudicate the disputes between the parties. The appointment of the learned Arbitrator is subject to compliance of the provisions of Section 12(1) of the Act. The learned Arbitrator shall fix his fee schedule in consultation with the learned counsel for the parties.
6. The parties to appear before the learned Arbitrator on 24.05.2017 at 4.00 PM.
7. The petition stands disposed of.
8. Copy of the order be given dasti to both the parties.

JAYANT NATH, J

MAY 11, 2017
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