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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 794/2016

OM CONSTRUCTION COMPANY

..... Petitioner

Through: Mr. Ritesh Khatri, Advocate.

versus

JATASYA PROMOTERS PVT. LTD.

..... Respondent

Through: Mr. B.P. Singh, Advocate.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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20.01.2017

1. The existence of arbitration clause is not in dispute.
2. The Court, accordingly, proposes Mr. Justice V.K. Bali, former Chief Justice of the Kerala High Court (Mobile No.9910300236) 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.
3. Subject to compliance with the above direction, Mr. Justice V.K. Bali 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.

4. The petition is disposed of. A copy of this order be communicated to Mr. Justice V.K. Bali as well as Additional Coordinator, DAC forthwith.

S.MURALIDHAR, J

JANUARY 20, 2017

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