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IN THE HIGH COURT OF DELHI AT NEW DELHI

ARB.P. 572/2017

LLOYD INSULATIONS INDIA LIMITED

..... Petitioner

Through : Mr.Somesh Shukla, Adv.

versus

IETS INDIA PVT. LTD.

..... Respondent

Through : Mr.Gajendra Maheshwari,
Mr.Vikram Narula and Mr.Siddhant
Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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09.11.2017

This petition is under Section 11(5) of the Arbitration and Conciliation Act, 1996. Learned counsel for the petitioner has placed his reliance upon clause 23 of the agreement, which runs as under:

23.0 ARBITRATION

Any dispute arising during execution of work and not resolved amicably between the parties shall be settled under Rule of the Arbitration and Conciliation Act, 1996 and its amendment, if any. Arbitration shall take place in Delhi/ Gurgaon according to the aforesaid Rule. The Arbitration award shall be final and binding on the parties. Contractor shall not at any time suspend performance of work or any of its obligations

*under the Contract pending resolution or
settlement of dispute.*

It is submitted that since the disputes have arisen qua the illegal demands raised by the respondent, hence need to be referred to the arbitration. Learned counsel for the respondent has no objection.

In the circumstances, S.K.Sarvaria, District Judge (Retd.) (Mobile : 9910384642) is appointed as the sole arbitrator in the matter. His fee shall be determined in consultation with the parties.

The petition is disposed of in view of above.

YOGESH KHANNA, J

NOVEMBER 09, 2017

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