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

+ **ARB.P. 244/2018**

DHRUV ANSHU BUILDERS AND PROMTERS

THROUGH ITS PARTNER MR. SUDHIR BHARTI Petitioner

**Through: Mr L.S. Bindra, Advocate alongwith
Petitioner, Sudhir Bharti.**

versus

PUSHPA BUILDERS LTD. & ORS. Respondents

**Through: Mr Faheem Shah and Mr Vaibhav
Suri and Mr Apurv, Advocates.**

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% 18.05.2018

1. The petitioner has filed the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, praying that an arbitrator be appointed to adjudicate the disputes that have arisen between the parties in relation to the Memorandum of Understanding (MoU) dated 03.09.2012 and Memorandum of Understanding dated 14.12.2013. The MOU dated 03.09.2012 includes an arbitration clause and the MOU dated 14.12.2013 also incorporates all terms and conditions as contained in the MOU dated 03.09.2012, by reference.

2. The learned counsel appearing for the respondent does not dispute the existence of the arbitration clause and requests that the arbitrator be appointed by the Delhi International Arbitration Centre (DIAC). The learned counsel appearing for the petitioner concurs with the said suggestion.

3. Accordingly, with the consent of the parties, it is directed that an

arbitrator be appointed by the DIAC. DIAC is directed to appoint an arbitrator to adjudicate the disputes falling within the scope of MOUs dated 03.09.2012 and 14.12.2013. The arbitrator shall be conducted under the aegis of the DIAC and in accordance with its rules.

4. The parties shall appear before the Co-ordinator, DIAC on 01.06.2018 at 11:00 AM for further proceedings.
5. The petition is disposed of.

MAY 18, 2018
RK

VIBHU BAKHRU, J