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

+ ARB.P. 208/2017

KRISTAL VISION PROJECTS PRIVATE
LIMITED

..... Petitioner

Through: Mr Arvind Minocha, Advocate.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr Praveen Kumar Jain with Ms
Komal Pandey, Advocates alongwith
Mr Rajesh Kumar Jain, Director
(Contracts) for Director General,
MAP.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **22.02.2018**

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 a Sole Arbitrator be appointed to adjudicate the disputes that have arisen between the parties in relation to the agreement dated 10.03.2010 (hereafter 'the Agreement'). The Agreement includes an arbitration clause.
2. Despite the request made by the petitioner, the Arbitrator has not been appointed as yet. The learned counsel appearing for the parties have each proposed names of three former Judge of this Court/Supreme Court for being appointed as the sole Arbitrator. They request this Court to appoint one of the suggested persons as the sole Arbitrator.

3. In view of the consensus between the parties, this Court appoints Mr Justice Aftab Alam, a former Judge of the Supreme Court of India as the Sole Arbitrator to adjudicate the disputes that have arisen between the parties in relation to the Agreement. This is subject to the Arbitrator making the necessary disclosure under Section 12 of the Act and not being ineligible under Section 12(5) of the Act. The Arbitrator shall fix his fee in consultation with the learned counsel for the parties.
4. The parties are at liberty to approach the Arbitrator for preliminary proceedings.
5. The petition is disposed of.

VIBHU BAKHRU, J

FEBRUARY 22, 2018
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