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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ ARB.P. 369/2018
BERNARD INGENIEURE ZT-GMBH Petitioner
Through: Mr.Sindhu Sinha, Adv.

versus

IRCON INTERNATIONAL LIMITED Respondent
Through: Mr.Dinesh Agnani, Sr. Adv. with
Ms.Leena Tuteja, Adv.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **18.05.2018**

IA No. 6963/2018 (Exemption)

Allowed, subject to all just exceptions.

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This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 seeking appointment of a Presiding Arbitrator for the Arbitral Tribunal to adjudicate the disputes that have arisen between the parties in relation to the letter of Acceptance dated 31.01.2012. Both the parties have nominated their respective Arbitrators, however, the two nominated Arbitrators have been unable to agree on a Presiding Arbitrator.

In view of the above, I appoint **Justice Badar Durrez Ahmed**, Retired Chief Justice of Jammu and Kashmir High Court (R/o 19, Akbar Road, New Delhi-110011, Phone: 23016993, 23012984) as a Presiding Arbitrator. The Arbitrators shall submit their declaration under Section 12 of the Act before proceeding with the reference. The Arbitral Tribunal will be entitled to the fee prescribed in the Fourth Schedule of the Act. The

respondent shall be free to raise all submissions and Counter Claims, if any, before the Arbitral Tribunal.

The petition is allowed in the above terms and with no order as to cost.

NAVIN CHAWLA, J

MAY 18, 2018/rv