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

+ CS(COMM) 955/2018 & I.As. 7980/2018, 13150/2018, 13467/2018

M/S SRICO PROJECTS PVT. LTD. Plaintiff
Through: Mr.R.M. Sinha and Mr.P.M. Sinha,
Advocates

versus

INDIAN OIL FOUNDATION Defendant
Through: Mr.Rajat Navet and Mr.Kushagra
Pandit, Advocates

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

% **ORDER**
11.10.2018

1. Learned counsels for both the parties agree to appointment of an arbitrator by this Court to adjudicate the claim of the plaintiff in CS(COMM) 955/2018 and the claims of the defendant.
2. Justice Pratibha Rani (Retired) is appointed as a sole arbitrator under Section 89 of the Code of Civil Procedure to adjudicate the claims of the plaintiff in CS(COMM) 955/2018 and claims of the defendant.
3. The arbitration shall be conducted in the ageis of Delhi International Arbitration Centre.
4. The learned arbitrator shall ensure the compliance of Section 12 read with Fifth and Sixth schedule of Arbitration and Conciliation Act, 1996 before commencing the arbitration.
5. The fee of the learned arbitrator shall be paid in accordance with the schedule of fees prescribed under the Delhi High Court Arbitration Centre (Administrative Costs and Arbitrators' Fees) Rules.

6. Learned counsel for the plaintiff seeks refund of the Court fees. Since the matter is being referred to arbitration under section 89 of Code of Civil Procedure, the Court fees be refunded back to the plaintiff under Section 16 of the Court Fees Act.
7. Suit is disposed of in the above terms. Pending applications are
8. disposed of.
9. This Court appreciates the assistance rendered by learned counsels for both the parties.
10. Copy of this order be sent to the learned arbitrator.
11. Copy of this order be given *dasti* to counsels for the parties under signature of Court Master.

J.R. MIDHA, J.

OCTOBER 11, 2018
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