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

+ **O.M.P.(I) (COMM.) 295/2018**

INSTALACIONES INABENSA, S.A.

..... Petitioner

Through: Mr. Darpan Wadhwa, Senior
Advocate with Mr. Aniket Prasoon,
Mr. Abhishek Kumar, Mr. Saraswat
Mahapatra and Ms. Srishti Rai, Advs

versus

POWER GRID CORPORATION OF INDIA LIMITED

& ORS.

..... Respondents

Through: Mr. Parag Tripathi, Senior Advocate
with Mr. Apporv P. Tripathi and Mr.
Rishab Kapoor, Advs for respondent
no. 1
Mr. Pritpal Singh Nijjar, Adv for
respondent no. 2

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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06.09.2018

1. Mr. Tripathi, learned Senior Counsel says that he has returned with instructions and that those instructions have been put down on an affidavit filed by the Chief Manager of respondent no. 1.

1.1 To be noted, the said affidavit is dated 04.09.2018.

2. In the affidavit, respondent no. 1 has indicated that the respondent will be agreeable to appointment of a sole arbitrator, *albeit*, in peculiar facts and circumstances of this case.

3. Mr. Wadhwa, who, appears for the petitioner says that the petitioner is also agreeable for appointment of a sole arbitrator.

4. Mr. Wadhwa, further submits that the captioned petition can be placed before the sole Arbitrator who will treat the same as a petition under Section 17 of the Arbitration and Conciliation Act, 1996 (in short “1996 Act”) for passing appropriate orders in the petition.

5. Counsel for the parties are also *ad idem* that Hon’ble Mr. Justice Badar Durrez Ahmed, Former Chief Justice, Jammu and Kashmir High Court be appointed as a sole Arbitrator in the matter.

6. Accordingly, the petition is disposed of with the following directions:-

6.1 Hon’ble Mr. Justice Badar Durrez Ahmed, Former Chief Justice, Jammu and Kashmir High Court (M: 9910615334) is appointed as the sole Arbitrator.

6.2 The fee and the rules applicable to the proceedings carried out by the DIAC will also be applicable to the instant proceedings.

6.3 The captioned petition will be placed before the learned Arbitrator who will treat the same as a petition filed under Section 17 of the 1996 Act.

6.4 Learned Arbitrator will pass appropriate orders in the matter after hearing both the sides.

7. The registry will dispatch a copy of this order to learned Arbitrator as well as to the Coordinator, DIAC.

RAJIV SHAKDHER, J

SEPTEMBER 06, 2018/c
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