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

Item no. 26

+ O.M.P. (T) (COMM.) 76/2018

ISGEC HEAVY ENGINEERING LTD. Petitioner

Through: Mr. K. Datta with Mr. Manish
Srivastava, Adv

versus

M/S INDIAN OIL CORPORATION LTD., Respondent

Through: Mr. V.N. Koura with Ms. Mona
Aneja and Mr. Anupam Roy, Advs

Item no. 27

+ O.M.P. (T) (COMM.) 77/2018

ISGEC HEAVY ENGINEERING LTD. Petitioner

Through: Mr. K. Datta with Mr. Manish
Srivastava, Adv

versus

M/S INDIAN OIL CORPORATION LTD Respondent

Through: Mr. V.N. Koura with Ms. Mona
Aneja and Mr. Anupam Roy, Advs

Item no. 28

+ O.M.P. (T) (COMM.) 78/2018

ISGEC HEAVY ENGINEERING LTD Petitioner

Through: Mr. K. Datta with Mr. Manish
Srivastava, Adv

Versus

M/S INDIAN OIL CORPORATION LTD Respondent

Through: Mr. V.N. Koura with Ms. Mona
Aneja and Mr. Anupam Roy, Advs

Item no. 29

+ O.M.P. (T) (COMM.) 79/2018

ISGEC HEAVY ENGINEERING LTD Petitioner

Through: Mr. K. Datta with Mr. Manish
Srivastava, Adv

versus

M/S INDIAN OIL CORPORATION LTD Respondent

Through: Mr. V.N. Koura with Ms. Mona
Aneja and Mr. Anupam Roy, Advs

Item no. 30

+ O.M.P. (T) (COMM.) 80/2018

ISGEC HEAVY ENGINEERING LTD Petitioner

Through: Mr. K. Datta with Mr. Manish
Srivastava, Adv

versus

M/S INDIAN OIL CORPORATION LTD Respondent

Through: Mr. V.N. Koura with Ms. Mona
Aneja and Mr. Anupam Roy, Advs

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **31.07.2018**

**I.A. No. 10028/2018, 10029/2018, 10030/2018, 10031/2018 and
10033/2018, (Exemptions)**

1. Allowed, subject to just exceptions.

O.M.P. (T) (COMM.) 76/2018 to 80/2018

2. Learned counsel for the parties have returned with instructions on the appointment of an arbitrator by this Court.

3. Accordingly, with their consent, Hon'ble Mr. Justice S.P. Garg, Former Judge of this court, is appointed as an arbitrator in the matter.

4. Counsel for the parties have also agreed that the arbitration proceedings will be conducted under the aegis of the Delhi International Arbitration Centre ('DIAC').

5. Furthermore, counsel for the parties are agreed that the rules and fee structure applicable to the DIAC will govern the arbitration proceedings.

6. The claims in the captioned matters, I am told, if taken separately, are of relatively small amounts, therefore, the learned Arbitrator is requested to aggregate the claims and have his fee calculated on that basis.

6.1 The Coordinator, DIAC will act accordingly.

7. Furthermore, the Coordinator, DIAC is requested to retrieve the case files from the earlier arbitrator, Hon'ble Mr. Justice B.A. Khan as he has already indicated that he does not wish to continue with the arbitration proceedings.

7.1 Needless to say, the learned arbitrator will proceed from the stage at which the arbitration proceedings are presently positioned.

8. The petitions are disposed of in the aforementioned terms.

RAJIV SHAKDHER, J

JULY 31, 2018

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