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

+ CS(OS) 2642/2010 & I.A. 10813/2016

9 PRASHANTH PROJECTS(P) LTD Plaintiff
Through: Mr.Sanjeev Puri, Mr.Vikram Mehta,
Ms.Rishika Raha and Ms.Kanishka
Shivhare, Advocates

versus

INDIAN OIL CORPORATION LTD Defendant
Through: Mr.V.N. Koura, Ms.Mona Aneja and
Mr.Abhinav Tandon, Advocates

+ CS(OS) 3131/2014

13 PRASHANTH PROJECTS(P) LTD Plaintiff
Through: Mr.Sunil Kumar, Advocate

versus

INDIAN OIL CORPORATION LTD Defendant
Through: Mr.V.N. Koura, Ms.Mona Aneja and
Mr.Abhinav Tandon, Advocates

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

% **ORDER**
10.10.2018

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 (OS) 2642/2010 and the claims of the Indian Oil Corporation Ltd.
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(OS) 2642/2010 and claims of the Indian Oil Corporation Ltd.

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. Both the matters are disposed of in the above terms.

8. This Court appreciates the assistance rendered by learned counsels for both the parties.

9. Copy of this order be sent to the learned arbitrator.

10. Copy of this order be given *dasti* to counsels for the parties under signature of Court Master.

J.R. MIDHA, J.

OCTOBER 10, 2018

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