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

+ ARB.P. 395/2017

BAJAJ ELECTRICALS LIMITED (BEL) Petitioner

Through: Mr Saurabh, Md Azhar and Mr
Kuldeep, Advocates.

versus

DSC LIMITED

..... Respondent

Through: Mr Vineet Tayal, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **07.12.2018**

1. The petitioner has filed the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, praying that an Arbitral Tribunal be constituted to adjudicate the disputes that have arisen between the petitioner and the respondent in respect of the Work Order dated 04.12.2010 (as amended by the work order dated 26.05.2011) and a Work Order dated 21.05.2012.

2. The Arbitration Clause as applicable to the Work Order dated 04.12.2010 as amended by the Work Order dated 26.05.2011 provides for constitution of an Arbitral Tribunal of three members. Further, the respondent had also raised certain controversies with regard to the existence of an arbitration clause in respect of the Work Order dated 21.05.2012.

3. At the suggestion of this Court, the parties have consented that a sole arbitrator be appointed to adjudicate all disputes arisen in respect of the aforementioned Work Orders.

4. With the consent of the parties, Mr Sudhanshu Batra, Senior Advocate is appointed as the Sole Arbitrator to adjudicate the disputes in respect of the aforementioned Work Orders (Work Orders dated 04.12.2010, 26.05.2011 and 21.05.2012). This is subject to the Sole Arbitrator making the disclosure as required under Section 12(1) of the Act and not being ineligible under Section 12(5) of the Act.
5. The Arbitral Tribunal shall fix the fees in consultation with the learned counsel for the parties and having regard to Schedule IV of the Act.
6. The petition is disposed of in the above terms.
7. All contentions of the parties in respect of the subject disputes are reserved.

DECEMBER 07, 2018
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VIBHU BAKHRU, J