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

+ O.M.P.(MISC.)(COMM.) 23/2017

NEWTON ENGINEERING & CHEMICALS
LTD.

..... Decree Holder

Through: Mr Paritosh Budhiraja, Mr Vimal
Dubey, Mr Surabhi Maheshwari and
Mr Ashwani Ahuja, Advocates.

versus

INDIAN OIL CORPORATION LTD.

..... Judgement Debtor

Through: Mr V.N. Koura, Ms Mona Aneja, Mr
Anupam Roy and Ms Nehal Singhal,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **09.03.2018**

1. The learned counsel appearing for the parties state that they are agreeable that the mandate of the Arbitrator Mr. Justice S.L. Bhayana, Retired. Judge, Delhi High Court be terminated and an independent arbitrator be appointed by this Court to continue the arbitral proceedings from the same stage.

2. In view of the consensus arrived at between the parties, Mr Justice R. C Chopra, Retired. Judge, Delhi High Court (Mobile No. 9818097777) is appointed as the Sole Arbitrator to adjudicate the disputes between the parties. This is subject to the arbitrator making the necessary disclosure under Section 12 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act') and not being ineligible under Section 12(5) of the Act. The Arbitrator shall complete the proceedings and render the award within one

year of entering upon the reference.

3. The parties are at liberty to approach the Arbitrator so appointed for further proceedings. The Arbitrator shall fix his fees in consultation with the learned counsel for the parties and having regard to Schedule IV of the Act.

4. Mr. Justice S.L. Bhayana (retired) shall handover all the arbitral records without any further delay to the counsel for the parties for being placed before the arbitrator appointed in terms of this order.

5. The petition is disposed of.

6. Order *dasti*.

VIBHU BAKHRU, J

MARCH 09, 2018
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