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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 03.12.2018

+ ARB.P. 816/2018

ERA INFRA ENGINEERING LTD Petitioner
Through: Mr. Sumit Purohit with Mr.
Shubhankar, Advs

versus

NATIONAL THERMAL POWER CORPORATION
LIMITED Respondent
Through: Mr. Puneet Taneja with Ms. Laxmi
Kumari, Advs

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

RAJIV SHAKDHER, J.: (ORAL)

1. Mr. Taneja has returned with instructions.
2. Learned counsel says that since there is no dispute as to the existence of an Arbitration Agreement, the parties had a discussion concerning the appointment of an Arbitrator and thereafter mutually agreed on a name.
3. Mr. Sumit Purohit, who, appears for the petitioner, affirms this position.
4. Counsel for the parties say that they have agreed on the appointment of Hon'ble Mr. Justice J.D. Kapoor, Former Judge of this Court (M: 9871257474) as an Arbitrator in the matter.

4.1 It is ordered accordingly.

5. Furthermore, counsel for the parties say that they are also agreed that the learned Arbitrator will be paid his fee in accordance with the provisions of Fourth Schedule appended to the Arbitration and Conciliation Act, 1996.

5.1 The said statement is taken on record.

6. The petition is disposed of in the aforesaid terms.

RAJIV SHAKDHER
(JUDGE)

DECEMBER 03, 2018

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