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

+ ARB.P. 845/2018

M/S KUANTUM PAPERS LTD

..... Petitioner

Through: Mr.Aman Shanker, Ms.Anjali
Shanker, Advocate along with AR of
the petitioner.

versus

AFII CORPORATE ADVISORS LTD & ORS. Respondents

Through: Mr.J.S. Lamba, Mr.R.S. Bisht,
Advocates for respondent No.1

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **19.12.2018**

1. The petitioner is seeking appointment of an arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996.
2. The arbitration agreement is contained in clause 11.2 of the Consultancy Service for Fund Raising Agreement dated 15th June, 2015 which is reproduced hereunder:

“11.2- Legal Remedies:

In the event of any dispute between the parties to this Proposal parties reserve the right to take all suitable recourse including injunctive relief. This contract is governed by the laws of India. Any dispute arising out of or in connection with this contract, including any question regarding its existence, validity or termination, shall be referred to and finally resolved by arbitration in New Delhi in accordance with the Arbitration and Conciliation Act 1996 for the time being in force, which rules are deemed to be incorporated by reference in this clause. The Tribunal shall consist of one arbitrator. The language of the arbitration shall be English.”

3. The petitioner invoked the arbitration vide notice dated 29th September, 2018.
4. Learned counsel for the respondents does not dispute the existence of an arbitration agreement between the parties.
5. The petition is allowed and Justice P. S. Teji, Former Judge of Delhi High Court is appointed as an arbitrator to adjudicate the claims and counter claims, if any, between the parties.
6. The learned arbitrator shall ensure the compliance of Section 12 of Arbitration and Conciliation Act, 1996 before commencing the arbitration.
7. Copy of this order be sent to learned Arbitrator.
8. Copy of this order be given *dasti* to counsels for the parties under signatures of the Court Master.

J.R. MIDHA, J.

DECEMBER 19, 2018

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