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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ O.M.P.(I) (COMM.) 409/2017 & IA No. 11670/2017, 12375/2017 &  
1090/2018  
POSCO MAHARASHTRA STEEL PVT LTD ..... Petitioner  
Through: Mr.Rajiv Nayar, Sr. Adv. with  
Mr.Punit Tyagi, Mr.Ashwin Mishra &  
Ms.Manjika Dasgupta, Advs.

versus

GLOBAL ENERGY PVT LTD & ANR ..... Respondents  
Through: Mr.Pramod Kumar Dubey,  
Mr.Tanmaya Mehta & Mr.Saurabh  
Kumar, Advs.

**CORAM:**  
**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**  
**12.02.2018**

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**IA No. 1090/2018**

This is an application seeking Condonation of Delay in filing of the reply. The delay is condoned and the application stands allowed.

**O.M.P.(I) (COMM.) 409/2017**

The counsels for the parties submit that they are agreeable if a Sole Arbitrator is appointed by this Court for adjudicating the disputes that have arisen between the parties in relation to the Agreement dated 15.10.2012 and the addendum thereto.

I accordingly appoint Justice AP Shah, Retired Chief Justice of this Court (R/o F-15, Hauz Khas Enclave, New Delhi-110016, Mobile No. 9910160007) as a Sole Arbitrator to adjudicate the disputes that have arisen between the parties. The Sole Arbitrator shall give his disclosure in terms of

Section 12 of the Arbitration and Conciliation Act, 1996 before proceeding further with the reference.

The learned counsel for the petitioner submits that the affidavit filed by the respondent is not in terms of the order dated 10.10.2017 passed by this Court. This issue will be considered by the Sole Arbitrator. The respondent shall also be free to raise all pleas including the pleas of vacation of the interim order by moving an appropriate application before the Arbitrator.

The Arbitrator is being appointed without prejudice to the rights and contentions of either of the parties which shall remain open.

The petition is disposed of in the above terms.

*Dasti.*

**IA No. 11670/2017 & IA No. 12375/2017**

In view of the above order the applications have become infructuous and are disposed of in terms of the above order.

**NAVIN CHAWLA, J**

**FEBRUARY 12, 2018/rv**