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

+ ARB.P. 898/2018

VIJ SONS

..... Petitioner

Through: Mr. Madhur Arora, Advocate.

versus

BABU JAGIVAN RAM MEMORIAL HOSPITAL

..... Respondent

Through: Mr. Sanjoy Ghose, ASC.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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18.12.2018

1. Issue notice.
2. Mr. Ghose accepts notice on behalf of the respondent. Mr. Ghose says that he has instructions to the effect that attempts are being made to resolve the outstanding issues raised by the petitioner. Learned counsel further submits that a period of three (3) weeks be given for that purpose, failing which, the respondent would appoint an Arbitrator as per the terms of the agreement entered between the parties.
3. It is not in dispute that an arbitration agreement is in existence. It is also not disputed that a notice for appointment of an Arbitrator was served on the respondent. The notice in this behalf is dated 23.08.2018. The respondent has lost its opportunity, if any, to appoint an Arbitrator in the mater in issue.

4. Given these circumstances the petition is disposed of with the following directions.

4.1 Ms. Kiran Kalra Uppal, Advocate (Mob.9810093557), is appointed as an Arbitrator. The learned Arbitrator will be paid fees as per the Fourth Schedule appended to Arbitration and Conciliation Act, 1996.

4.2 Learned Arbitrator will not enter upon reference for a period of 3 weeks from today.

4.3 In case no resolution is reached in the matter, the learned Arbitrator will commence adjudication.

5. *Dasti.*

RAJIV SHAKDHER, J

DECEMBER 18, 2018

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