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

+ ARB.P. 807/2017

RAITANI ENGINEERING WORKS PVT.LTD. Petitioner
Through Mr. Saurabh Gupta and Mr. Gagan
Gupta, Advs.

versus

UNION OF INDIA & ANR. Respondents
Through Mr. Jagjit Singh, Sr. Standing
Counsel with Mr. Vipin Chaudhary,
Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **07.12.2018**

1. On the previous date, i.e. 29.8.2018, Mr. Singh had appeared on behalf of the respondents.

1.1 It was made clear on that date that if instructions are received to resist the petition a reply will be filed in the matter.

1.2 Mr. Singh says that no instructions have been received, and therefore, no reply has been filed.

1.3 Mr. Singh, however, does not dispute the fact that an arbitration agreement exist between the parties.

1.4 In these circumstances, I am inclined to appoint an Arbitrator as there is no rebuttal on record to the averments made in the petition.

1.5 Accordingly, Miss. Justice Aruna Suresh, Retired Judge Orissa High Court (Cell No: 9560044401), is appointed as an Arbitrator.

1.6 The learned Arbitrator will be paid her fee in accordance with the provisions of the Fourth Schedule appended to the Arbitration and Conciliation Act, 1996 (in short '1996 Act').

1.7 Furthermore, the learned Arbitrator before entering upon reference will file a declaration in terms of Section 12 and other attendant provisions of 1996 Act.

2. Needless to say, all defences that the respondents may like to raise will be available to them before the learned Arbitrator.

3. The respondents will also be at liberty to file a counter claim if they so desire.

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

RAJIV SHAKDHER, J

DECEMBER 07, 2018
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