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

+ **ARB.P. 844/2019 & I.A. 17832/2019**

VALUE LINE INTERIORS PRIVATE LIMITED Petitioner

**Through: Mr.Sameer Rohatgi, Mr.Manohar
Malik and Mr.Akshad Pradhan, Advs.**

versus

RATTAN INDIA POWER LIMITED Respondent

**Through: Mr.Rajat Navet and Mr.Kushagra
Pandit, Advs.**

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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17.12.2019

1. This is a petition filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 (as amended in 2015) seeking appointment of a sole Arbitrator.
2. There is no dispute that the arbitral clause was invoked by the petitioner *vide* its notice dated 8th November, 2019 which has been responded too by the respondent *vide* its letter dated 10th December, 2019 whereby the respondent has appointed Mr. S. K. Tandon, retired ADJ as a sole Arbitrator. The appointment is contested by the learned counsel for the petitioner on the ground that in terms of the Arbitral clause, the arbitrator was to be appointed through mutual consent.
3. If that be so, learned counsel for the parties states that a Sole Arbitrator be appointed by this Court. Accordingly, this Court appoints Mr.Kamal Nijhawan, Advocate, as a Sole Arbitrator who shall adjudicate

the disputes and differences between the parties. The appointment and the fee of the Sole Arbitrator shall be regulated by the Rules of the DIAC.

4. Let a copy of this order be sent to Mr. Kamal Nijhawan, Advocate, at his address i.e. Chamber No. 479, Lawyers' Chamber Block No. II, Delhi High Court, New Delhi, for information.

5. It is made clear that the parties are within their rights to take all pleas available to them both on facts and in law before the learned Arbitrator.

6. The petition along with the connected application stands disposed of.

V. KAMESWAR RAO, J

DECEMBER 17, 2019/bh