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

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Date of decision: 27.09.2019

+ ARB.P. 626/2019, I.A. No. 13577/2019 (Exemption)
HCL INFOTECH LIMITED Petitioner
Through: Mr. Azmat H. Amanullah, Advocate

versus

BHARAT SANCHAR NIGAM LIMITED Respondent
Through: Mr. Sameer Aggarwal, Advocate

**CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH**

JYOTI SINGH, J. (ORAL)

I.A. No. 13577/2019 (Exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

ARB.P. 626/2019

Issue notice.

Mr. Sameer Aggarwal, Advocate enters appearance on behalf of the respondent and accepts notice. Mr. Aggarwal submits that while the respondent is not averse to the appointment of an Arbitrator, however the notice invoking Arbitration Agreement dated 10.07.2019 was not addressed to appropriate Authority, which is CMD, BSNL.

Learned counsel for the petitioner submits that although the notice was addressed to General Manager, IT Project Circle, Bharat Sanchar Nigam Limited, RTC Building I, G-Block, Chinchwad, Pune – 411019, but copy of

the same was endorsed to the Chairman and Managing Director, Bharat Sanchar Nigam Limited, Harish Chandra Mathur Lane, 148, Janpath, New Delhi – 110001, which is evident from pages 131 and 139 of the documents placed on record.

In my opinion, the notice invoking arbitration has been sent to the Appropriate Authority. Respondent has not denied the existence of the Arbitration Agreement and in fact has no objection to the appointment of Arbitrator, but for the objection mentioned above.

I hereby appoint Hon'ble Mr. Justice Manmohan Sarin, former Chief Justice of Jammu & Kashmir High Court, as a sole Arbitrator to adjudicate the dispute between the parties, arising out of Agreement dated 05.06.2007. The address of the learned Arbitrator is as under:

Hon'ble Mr. Justice Manmohan Sarin,
Former Chief Justice of Jammu & Kashmir High Court
D-127, Panchsheel Enclave,
New Delhi-110017
Mobile No. 9818000210

The Arbitrator will give a disclosure under Section 12 of the Arbitration & Conciliation Act, 1996 before entering upon the reference.

The fee of the Arbitrator shall be as per the Fourth Schedule of the Act.

The petition is disposed of in the above terms.

JYOTI SINGH, J

SEPTEMBER 27, 2019

pkb/rd/