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

% **Date of decision: 4th December, 2019**

+ O.M.P. (T) (COMM.) 89/2019 & I.A. 14559/2019

M/S TECHNO POWER ENTERPRISES PVT. LTD. Petitioner

Through: Mr. Anshuman Sharma and Mr.
Vishesh Dhundia, Advocates

versus

NATIONAL COLLATERAL MANAGEMENT SERVICES LTD.
(NCML) Respondent

Through: Mr. Dhaval Mehrotra and Mr.
Sudhanshu Sikka, Advocates

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

1. An Arbitration Agreement dated 20.04.2014 was entered into between the parties which reads as under:-

“38. Arbitration

(a) In the event of any dispute or controversy between the Parties to this agreement in connection with the rights and obligation hereunder, the parties shall first endeavour to co-operate to resolve the dispute or controversy by mutual consultation and agreement.

(b) In the event that the dispute or event is not resolved by mutual consultation, the same shall be referred of Arbitration. Both parties shall agree for the appointment of a sole arbitrator and in case the parties fail to appoint an

arbitrator of their choice, each party shall appoint one arbitrator and the chosen arbitrators if deemed fit shall appoint a third arbitrator.

(c) Such arbitration shall be governed under the provisions of the Arbitration and Conciliation Act, 1996 or any amendments thereof for the time being in force. The venue of the Arbitration shall be Delhi.”

2. Learned counsel for the respondent submits on instructions from the respondent that he has no objection to appointment of a Sole Arbitrator.
3. With the consent of the parties, Mr. Justice M.L. Mehta, former Judge of this court is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
4. The address and mobile number of the learned Arbitrator is as under:

Mr. Justice M.L. Mehta
Former Judge of Delhi High Court
H-34, Jangpura Extension,
New Delhi-110014
Mobile No. 9910384620
5. The learned Arbitrator shall give disclosure under Section 12 of the Act before entering upon reference.
6. Fee of the Arbitrator shall be fixed as per Fourth Schedule of the Act.
7. The petition is allowed in the aforesaid terms. Pending application is disposed of.

JYOTI SINGH, J

DECEMBER 04, 2019
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