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

+ ARB.P. 472/2018

M/S. C & C CONSTRUCTION LTD. Petitioner
Through: Mr. Abhay N. Das, Advocate.

versus

M/S. IRCON INTERNATIONAL LTD. Respondent
Through: Mr. Mohit Chaudhary with Mr.
Balwinder Singhsuri, Mr. Kunal
Sachdeva and Ms. Garima Sharma,
Advocates.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER
21.02.2019

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1. Mr. Chaudhary has returned with instructions. Mr. Chaudhary, who, appears for the respondent, says that he has no difficulty with the petitioner's nominee being part of the Arbitral Tribunal.
- 2 Mr. Chaudhary says that insofar as the respondent's nominee is concerned, he has instructions to convey that, one, Mr. Ashok Purwaha, former CMD, EIL will be acting as its nominee Arbitrator.
- 3 Mr. Chaudhary says that this concession has been made in line with the amendment to the Arbitration and Conciliation Act, 1996 (in short '1996 Act') which has been brought about w.e.f. 23.10.2015.
4. Both counsel are agreed that insofar as the Presiding Arbitrator is concerned, this Court could appoint a former Judge of this Court.

5 Accordingly, Hon'ble Mr. Justice R.V. Easwar, former Judge, Delhi High Court (Cell No.: 9560899997), is appointed as an Arbitrator in the matter.

6. Learned counsel are also agreed that the members of the Arbitral Tribunal be paid their fee as per the provisions of the Fourth Schedule appended to the 1996 Act 1996.

6.1 It is ordered accordingly.

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

RAJIV SHAKDHER, J

FEBRUARY 21, 2019

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