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

+ O.M.P. 27/2018

M/S KAMAL VIJAY JAIN

..... Petitioner

Through: Mr. Vivekanand, Adv.

versus

UNION OF INDIA THROUGH: THE GENERAL MANAGER & ORS.

..... Respondent

Through: Mr. Himanshu Upadhyaya, Adv.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **23.07.2019**

1. By way of this present petition under Section 8 of the Arbitration Act, 1940, Petitioner seeks appointment of independent sole arbitrator. Learned counsel for the Petitioner states that though the prayer has been made in the present petition seeking revocation of the authority and removal of Sh. A. K. Jain/Respondent as the Co-Arbitrator, however, subsequent to filing of the present petition, the said Arbitrator has resigned.

2. Learned counsel for the Respondent on instructions states that he has no objection to the prayer made in the petition. Accordingly the Petition is allowed. At joint request of counsels, the parties are referred to the Delhi International Arbitration Centre (DIAC). Parties are directed to appear before DIAC for appointment of arbitrator as per the Rules of the DIAC. The arbitration shall be conducted under the aegis of DIAC and in

accordance with its Rules.

3. The Registry is directed to dispatch a copy of the order passed today to the Coordinator, DIAC.

4. The petition is allowed, in the above terms.

JULY 23, 2019

Pallavi

SANJEEV NARULA, J