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

+ **ARB.P. 713/2019**

DELKON TEXTILES PVT LTD

..... Petitioner

Through: Mr. S.N. Mitra, Advocate

versus

UNION OF INDIA & ORS

..... Respondent

Through: Mr. Jagjit Singh, Sr. Standing
Counsel with Mr. Preet Singh and Mr.
Vipin Chaudhary, Advocates

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% 25.02.2020

1. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 praying for appointment of an Arbitrator to adjudicate the disputes and differences which have arisen between the parties in relation to purchase order dated 23.11.2017.
2. Learned counsel for the petitioner submits that the purchase order was governed by the General Conditions of Contract for Stores Department, which contains the Arbitration clause. He further submits that upon disputes having arisen, the petitioner invoked the arbitration clause by way of notice dated 22.08.2019 but received no reply thereto from the respondents.
3. Upon notice been issued, learned counsel for the respondents enters appearance and submits that the respondents have no objection to this Court appointing an independent Arbitrator for the adjudication of the disputes

between the parties.

4. In view of the aforesaid stand taken by the respondent, the petition is accordingly allowed. Mr. Manoj Kohli, Advocate (Mob: 9810115238) is appointed as the Sole Arbitrator to adjudicate the disputes and differences which have arisen between the parties in reference to purchase order dated 23.11.2017. It is made clear that it will be open for the respondents to take all permissible pleas before the learned Arbitrator including the plea that the petitioner's claim are barred under clause 43(2) of the General Condition of Contract.

5. The arbitration shall be conducted under the aegis of Delhi International Arbitration Centre (DIAC). The fees of the learned arbitrator shall be in accordance with the Schedule of fees prescribed under the Delhi High Court Arbitration Centre (Administrative Costs and Arbitrators' Fees) Rules.

6. Before commencing arbitration proceedings, the Arbitrator will ensure compliance of Section 12 of the Arbitration and Conciliation Act, 1996.

7. A copy of this order be sent to Delhi International Arbitration Centre (DIAC) as also to the learned Arbitrator.

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

REKHA PALLI, J

FEBRUARY 25, 2020

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