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

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Date of decision: 28.01.2020

+ ARB.P. 735/2019

MR. ANJANI KUMAR RAI

..... Petitioner

Through: Mr. Avinash Trivedi and Ms. Ritika
Trivedi, Advocates

versus

M/S PIONEER ESERVE PVT. LTD.

..... Respondent

Through: Mr. Kuljeet Rawal, Advocate

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

I.A. 1152/2020 (condonation of delay)

1. This is an application seeking condonation of delay of 27 days in filing the reply.
2. For the reasons given in the application, the same is allowed.
3. Delay of 27 days in filing the reply is condoned.

ARB.P. 735/2019

1. This is a petition filed under Section 11(6) of the Arbitration & Conciliation Act, 1996 ('Act') seeking appointment of an Arbitrator.
2. Mr. Rawal, learned counsel for the respondent submits that he does not have any objection to the appointment of an Arbitrator. He, however, submits that there are certain preliminary objections with regard to the

claims being time barred and that the amount having been paid to the petitioner in full and final settlement of the claims which should be left open to be raised before the Arbitral Tribunal.

3. With the consent of the parties, Mr. Sumeet Pushkarna, Advocate is appointed as an Arbitrator to adjudicate the disputes between the parties.

4. It is open to the respondent to raise all objections before the Arbitral Tribunal including the objections that the claims of the petitioner are time barred and that the petitioner has received full and final payment in settlement of its claims and there is accord and satisfaction.

5. The address and mobile number of the learned Arbitrator is as under:

Mr. Sumeet Pushkarna, Advocate
Chamber No.111, Block-3, Lawyers Chambers,
Delhi High Court, New Delhi.
Mobile: 9811042847

6. The learned Arbitrator shall give disclosure under Section 12 of the Act before entering upon reference.

7. Fee of the Arbitrator shall be fixed as per Fourth Schedule of the Act.

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

JYOTI SINGH, J

JANUARY 28, 2020

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