

Via video conferencing

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

+ ARB.P. 276/2020

VINOD KUMAR Petitioner

Through: Mr.Rajiv Kumar, Adv.

versus

IRRIGATION FLOOD CONTROL DEPARTMENT

..... Respondent

Through: Mr. Dhananjay Mishra, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **27.08.2020**

1. This is a petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator for adjudication of the disputes which have arisen between the parties in relation to the letter of award dated 20.11.2018.

2. Upon notice being issued, Mr. Dhananjay Mishra, Advocate had entered appearance and prayed for time to obtain instructions. Today, he submits on instructions that the respondent has no objection to the appointment of an independent Arbitrator by this Court.

3. In view of the arbitral Clause 25 in the General Conditions of Contract applicable to the parties, the petition is allowed. Accordingly, Mr. Akshay Bhandari, Advocate (Mobile No.99112-25571) is, with the consent of the parties, appointed as the sole

Arbitrator for adjudication of the disputes which have arisen between them in relation to the letter of award dated 20.11.2018.

4. Before commencing arbitration proceedings, the Arbitrator will ensure compliance of Section 12 of the Act. The arbitration shall be conducted under the aegis of Delhi International Arbitration Centre (DIAC) and the fees of the learned arbitrator shall be determined by the Rules thereof.

5. It is made clear that this Court has not examined the rival claims of the parties on merits and it will, therefore, be open for them to file claims/counter claims and raise all pleas permissible in law, before the learned Arbitrator, which will be decided in accordance with law.

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

7. The petition stands disposed of.

REKHA PALLI, J.

AUGUST 27, 2020

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