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

+ ARB.P. 827/2019

WELL PRTOECT MANPOWER
SERVICES PVT LTD.

..... Petitioner

Through: Mr.Rajendra Sahu, Mr.Vineet Kumar,
Advocates

versus

CHEIF ENGINEER (IV) DSIIDC LTD. @
TECH CENTRE BUILDING WAZIPUR
INDUSTRIAL AREA DELHI-110052

..... Respondent

Through: Ms.Anusuya Salwan, Ms.Shreya
Sharma, Advocates

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

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15.01.2020

1. The petitioner is seeking appointment of an Arbitrator under Section 11(6) of the Arbitration and Conciliation Act. The petitioner has claims to the tune of Rs.5,91,65,322/-.
2. The arbitration agreement is contained in clause 25 of the General Conditions of the Contract. The petitioner invoked the arbitration vide notice dated 31st October, 2019.
3. The arbitration agreement and the invocation notice are not disputed. Learned counsel for the respondent however, submits that the arbitrator be appointed out of the list of arbitrator maintained by the respondent which is not acceptable to the petitioner.
4. The petition is allowed and Mr. Justice Swatanter Kumar, former Judge of Supreme Court, (Mobile No.9560413636) is appointed as a sole

arbitrator to adjudicate the claims and counter claims between the parties.

5. The arbitration shall be conducted under the aegis of Delhi International Arbitration Centre (DIAC).

6. The learned arbitrator shall ensure the compliance of Section 12 read with Fifth, Sixth and Seventh Schedule of Arbitration and Conciliation Act, 1996 before commencing the arbitration.

7. The fee 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.

8. Copy of this order be sent to Delhi International Arbitration Centre (DIAC).

9. Copy of this order be sent to the learned arbitrator.

10. Copy of this order be given *dasti* to counsels for the parties under the signature of the Court Master.

J.R. MIDHA, J.

JANUARY 15, 2020

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