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

+ ARB.P. 338/2021 & I.A. 3535/2021 (for condonation of delay of 54 days in re-filing)

ULTRA MEGA POWER PVT LTD Petitioner
Through Ms. Mayanka Dhawan, Adv.

versus

HBL POWER SYSTEMS LIMITED Respondent
Through Mr. Krishna Kumar Singh,
Adv.

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER(ORAL)

% **15.11.2021**

C .HARI SHANKAR, J.

ARB.P. 338/2021 & I.A. 3535/2021 (for condonation of delay of 54 days in re-filing)

1. This petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 ("1996 Act") seeking appointment of an arbitrator to arbitrate on the dispute between the parties.

2. Mr. Krishna Kumar Singh, learned Counsel for the respondent, has no objection if the dispute is referred to arbitration without prejudice to all his contentions in response to the submissions of the petitioner.

3. Accordingly, without entering into the merits of the disputes, and keeping all questions of fact and law open for decision by the learned Arbitrator, this petition is disposed of by referring the disputes between the parties to the Delhi International Arbitration Centre (DIAC), which would appoint a suitable arbitrator to arbitrate thereon.

4. The arbitration shall take place under the aegis of the DIAC and would abide by its rules and regulations.

5. The arbitrator would also be entitled to charge fees in accordance with the schedule of fees stipulated by the DIAC.

6. The arbitrator would furnish the requisite disclosure under Section 12(2) of the 1996 Act within a week of entering on reference.

7. All pending applications are also disposed of in the aforesaid terms.

C.HARI SHANKAR, J
NOVEMBER 15, 2021
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