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

+ **ARB.P. 492/2020**

M/S SATYA DEVELOPERS PRIVATE LTD Petitioner
Through Ms. Deepika Sharma, Adv.

versus

CINEMA VENTURES PRIVATE LTD Respondent
Through: Ms. Sakshi Kakkar, Adv. for
R-1
Dr. Maurya Vijay Chandra, Adv. for R-2

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

ORDER (ORAL)

07.04.2021

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1. This is a petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996 ("the 1996 Act"), for appointment of an arbitrator.

2. Ms. Sakshi Kakkar, learned counsel for Respondent No. 1 and Dr. Maurya Vijay Chandra, learned counsel for Respondent No. 2, have no objection to the request. The amount in dispute is stated to be in the region of ₹ 10 crores.

3. As there is no dispute regarding the arbitrability of the dispute or the existence of the arbitration agreement, it is not necessary to

burden this order with a recital of the controversy set out in the petition. Suffice it to state that this order shall not be treated as any expression of opinion on the merits of the controversy in the petition, or the rival stands of any of the parties before this Court.

4. All issues of facts in law shall remain open for agitation and decision by Arbitral Tribunal as constituted by this Court.

5. In view thereof, this Court appoints Hon'ble Mr Justice A. K. Patnaik, a learned retired Judge of the Supreme Court of India, (Phone No.011-26963011, Mob: 8800381113 (M) Email ID: justice.akpatnaik@gmail.com) as the arbitrator to arbitrate on the disputes between the parties.

6. The arbitrator shall be entitled to charge fees in accordance with the Fourth Schedule of the 1996 Act or as otherwise fixed by him after consultation with the parties.

7. The learned arbitrator may file the requisite disclosure under Section 12(2) of the 1996 Act, within a week of entering on the reference.

8. All parties would be at liberty to file their respective claims/counter claims before the learned arbitrator, in accordance with law and, if so filed, the learned arbitrator would consider and decide the same.

9. This petition stands disposed of in the aforesaid terms.

10. A copy of this order be given *dasti* under signature of the Court Master to learned counsel for the parties.

C. HARI SHANKAR, J

APRIL 7, 2021

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