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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P. (T) (COMM.) 6/2016, IA 1906/2016**
BHARAT ELECTRONICS LTD.

..... Petitioner

Through: Mr. Gaurav Kejriwal, Adv. with Mr.
Sujit Keshri, Adv.

versus

MAHANAGAR TELEPHONE NIGAM LTD. & ANR.

..... Respondent

Through: Mr. Chandan Kumar, Adv.
Mr. Sandeep Rathee, Deputy
Manager (Legal) MTNL

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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09.02.2016

O.M.P. (T) (COMM.) 6/2016

The only issue raised in the petition is that, despite appointment of the Arbitrator, the learned Arbitrator has not held any proceedings. Mr. Chandan Kumar, learned counsel for the respondents has drawn my attention to the proceedings dated January 15, 2016 of the learned Arbitrator Mr. Raju Sinha, wherein the learned Arbitrator has granted four weeks time to the petitioner herein, to file a claim petition and directed the respondents to file reply to the claim and counter claim, if any within four weeks thereafter.

Learned counsel for the respondents states, that four weeks period is going to expire in another week's time. If that be so, the petitioner would be at liberty to make a representation to the learned Arbitrator, who would consider the same favourably and grant sufficient time to the petitioner to file claim petition.

Learned counsel for the petitioner has raised an issue of jurisdiction of the learned Arbitrator to hold the proceedings inasmuch as, he has not been appointed by the CMD. Mr. Sandeep Rathee, an officer, present in Court, states that the Arbitrator has been appointed by the CMD. The said statement is taken on record.

In view of the aforesaid position, learned counsel for the petitioner seeks to withdraw the petition. The same is disposed of as such.

V. KAMESWAR RAO, J

FEBRUARY 09, 2016/ak