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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 70/2015

S.K. VIG

..... Petitioner

Through: Mr. Subodh Kumar, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. S.C. Rajpal with Mr. Varun Rajpal,
Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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03.10.2016

1. This is a petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996 ('Act') seeking the appointment of an Arbitrator for adjudication of disputes between the parties.
2. The only objection raised by learned counsel for the Respondents is that prior to sending a letter dated 31st May 2014 to the General Manager, the Petitioner should have sent a notice to the Railways and waited for another 120 days before approaching the General Manager.
3. The Court is of the view that with the General Manager not caring to reply to the Petitioner's letter dated 31st May 2014 and pointing out the above defect, a lot of time has been wasted without there being any progress in the matter of appointment of an Arbitrator. The objection is accordingly

rejected.

4. This Court appoints Mr. S.M. Chopra, (retired) Additional District Judge (Mobile No. 9213230349) residing at Flat No. 181, Desbhandhu Apartments, Kalkaji, New Delhi as an Arbitrator to adjudicate the disputes between the parties including their claims and counter-claims. It will be open to the learned Arbitrator to fix his own terms. The parties are directed to appear before the Arbitrator on 21st November 2016 or such other time as the learned Arbitrator considers appropriate. The learned Arbitrator will proceed in accordance with the Act as amended in 2015.

5. The petition is disposed of in the above terms. Order be given *dasti* to both the parties. A certified copy of this order be delivered forthwith to the learned Arbitrator.

S. MURALIDHAR, J

OCTOBER 03, 2016

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