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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 192/2016

SAI BABA BUILDERS PVT. LTD. & ANR Petitioners
Through: Mr. S.S. Sisodia, Advocate.

versus

UNION OF INDIA & ORS Respondents
Through: Mr. Praveen Kumar Jain with Mr.
Naveen Kumar Jain, Advocates along with Mr.
Abhijit Saha, Sector Officer and Mr. Ashok
Lugria, Section Officer in person.

CORAM: JUSTICE S. MURALIDHAR

ORDER

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07.12.2016

1. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 seeking the appointment of an Arbitrator to adjudicate the disputes between the parties.

2. It is seen from the reply filed by the Respondents that way back on 24th June, 2015 i.e., much before filing of the present petition, the Respondents appointed Mr. S.R. Mishra, Joint Secretary & Legal Advisor, Department of Legal Affairs (presently posted at Department of Telecommunications and IT, Sanchar Bhawan) as an Arbitrator to adjudicate the disputes between the parties.

3. Learned counsel for the Petitioners, however, states that the Petitioner did not receive any notice of invocation of the arbitration or even notice from the learned Arbitrator.

4. Be that as it may, it is seen from the reply that the learned Arbitrator held five sittings thereafter i.e., on 30th September, 2015, 28th October, 2015, 3rd February, 2016, 4th March, 2016 and 20th May, 2016. It is now stated that the next date of hearing before the learned Arbitrator is 23rd December, 2016 at 4 pm. It is also stated that the Petitioners have not been set *ex parte*.

5. Learned counsel for the Petitioners is now aware of the next date of hearing before the learned Arbitrator. The Petitioners will make arrangements to appear either themselves or through an authorized representative before the learned Arbitrator on 23rd December, 2016 at 4 pm.

6. No further directions are called for in this petition and it is disposed of as such.

S. MURALIDHAR, J

DECEMBER 07, 2016

Rm