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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.A. 19/2015

PUNJLLOYD LIMITED

Through

..... Appellant
Mr.J.P.Sengh, Sr. Adv. with
Mr.Sambhu Saran & Ms.Sana Ansari,
Adv.

versus

BHARAT PETROLEUM CORPORATION LIMITED

Through

..... Respondent
Mr.Manish Dembla, Adv

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

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09.05.2016

On 3rd September, 2015, the following order was passed:-

"IA No. 16880/2015

Mr. J.P. Sengh, the learned Senior Advocate for the appellant, would submit that the *lis* referred to the Engineer of the respondent has not been looked into and there has been no response from the said person.

The learned counsel for the respondent would submit that certain requisite documents are yet to be supplied to the Engineer. The list of requisite documents has been handed over to the learned counsel for the appellant for compliance till the decision of the Engineer. Let it be so done within four weeks, without prejudice to the appellant's rights in the present appeal, for the need to supply fresh documents under the relevant contract governing the relationship between the parties. The

learned counsel for the respondent states that the Engineer shall take a decision within ten weeks from the date of supply of documents. The learned counsel for the parties submit that the learned Arbitrator has only stated that the appellant's claim with respect to the *lis* referred to the Engineer, is premature.

Since the claim pending before the learned Arbitrator and the *lis* referred to the Engineer would be inter-related, it would be in the fitness of things to keep the proceedings before the learned Arbitrator in abeyance till a decision is arrived at by the Engineer. It is ordered accordingly.

The application stands disposed off in the above terms.

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List on 10th February, 2016.”

Learned Senior counsel appearing on behalf of the appellant states that whatever documents/material were in the possession of the appellant, the same have already been supplied by the appellant to the Engineer concerned who may pass the order accordingly. Learned counsel for the respondent is agreeable to the suggestion given by the learned counsel for the appellant. Under these circumstances, this petition is disposed of, with a request to the Engineer concerned to pass an appropriate order within four weeks from today. The report be submitted to the Arbitrator, with a copy thereof to both the parties and thereafter, the Arbitrator will proceed with the proceedings in accordance with law.

MANMOHAN SINGH, J.

MAY 09, 2016/ka