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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 356/2016**

AKASH AGRO TECH Petitioner
Through: Mr.Ritesh Khare, Adv.

versus

REGIONAL MANAGER & ANR. Respondents
Through: Mr.G.Joshi, Adv.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **31.05.2016**
IA 7033/2016

This is an application seeking condonation of 9 days delay in re-filing the petition.

For the reasons stated in the application, the delay of 9 days in re-filing the petition is condoned.

The application is disposed of.

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This is a petition filed under Section 11 of the Arbitration and Conciliation Act, 1996. Mr.G.Joshi, Advocate appears for the respondents on advance notice and states that even though is no proper invocation of the arbitration clause, still the respondents are

ready and willing to consider the present petition as an invocation of the arbitration clause and consider the same for appointment of a sole Arbitrator in accordance with clause 25 of the NIT and clause 16 of the agreement dated 18th November, 2013, which mandates the Chairman-cum-Managing Director of the respondents Corporation or any other competent officer, who at the relevant time is occupying the highest office in the respondent organisation and has been delegated with such powers within a period of four weeks from today.

This suggestion of Mr.Joshi is agreeable to the learned counsel for the petitioner.

In view of the aforesaid submissions of Mr.Joshi, let the respondents appoint an arbitrator in terms of clause 25 of the NIT and clause 16 of the agreement dated 18th November, 2013, within four weeks, the petition is disposed of.

V. KAMESWAR RAO, J

MAY 31, 2016
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