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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ O.M.P. (E) (COMM.) 23/2016

DUAL FABS

..... Petitioner
Through Mr.Udit Gupta, Adv. with Mr.Tushar
Gupta & Mr.Parmeet, Adv.

versus

TECHNLOGY INFORMATION FORECASTING AND
ASSESSMENT COUNCIL (TIFAC) Respondent

Through Mr.D. Bhattacharya, Adv. along with
Mr.Satveer Singh, Legal Head, in
person.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

% **25.05.2016**

I.A. No.6663/2016 (exemption)

Exemption allowed, subject to just exceptions.

The application is disposed of.

O.M.P. (E) (COMM.) No.23/2016

The abovementioned petition has been filed by the petitioner under Section 27 of the Arbitration and Conciliation Act, 1996.

It is mentioned in the application that the petitioner had moved an application under Section 27 of the Act before the Arbitrator for his approval for summoning of the following witness:-

“Dr B.Kameswara Rao
Adjunct Professor
Civil Engineering Department
National Institute of Technology
Warangal-506004

Telangana State
Email: bkraol@gmail.com”

The Arbitrator allowed the said application by order dated 3rd May, 2016 and granted only one opportunity to the petitioner to summon Dr. B.K. Rao for recording of evidence on 2nd June, 2016 and 3rd June, 2016. Liberty was also granted to the petitioner to move this Court for summoning of the above said witness. Copies of the said application as well as the order dated 3rd May, 2016 have been filed along with the present petition. Hence, the present petition has been filed with a prayer to issue summons to secure the presence of the said witness for the above said two dates.

Issue notice to the respondent. Learned counsel appearing on its behalf accepts the notice. Counsel states that without prejudice, the respondent has no objection if the prayer made in the present petition is allowed, provided that the compliance is made as per the directions of the Arbitrator. Learned counsel for the petitioner is agreeable for the same.

In view of the above, the prayer made in the present petition is allowed. The Registry would issue summons to the said witness Dr. B.K. Rao at the abovementioned address, to appear before the Arbitrator at the venue of arbitration being Technology Information Forecasting and Assessment Council (TIFAC), Vishwakarma Bhawan, Shaheed Jeet Singh Marg, New Delhi-110016, on 2nd and 3rd June, 2016.

The petition is accordingly disposed of.

Dasti, to both the parties, under the signatures of the Court Master.

MANMOHAN SINGH, J.

MAY 25, 2016/ka