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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P. (COMM) 345/2016

GOVT OF NCT OF DELHI PUBLIC WORKS DEPARTMENT

..... Petitioner

Through: Mr Sanjay Dewan, Adv

versus

DSC LIMITED

..... Respondent

Through: Mr Ashish Dholakia, Mr D Kishore
Kumar, Mr Gautam Bajaj, Advs.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **29.07.2016**

IA No.9023/2016

In view of the reasons explained, the delay of 50 days in re-filing stands condoned.

The application is disposed of.

IA No.8933/2016

Allowed, subject to all just exceptions.

The application is disposed of.

O.M.P. (COMM) 345/2016

1. This is a Petition filed under Section 34 of the Arbitration & Conciliation Act, 1996 (hereinafter as 'the Act') assailing the order dated 23.04.2016 passed by the Arbitrator. By the said order, the Arbitrator has declined to entertain the Petitioner's request for amendment of its pleadings for the reason that the matter is at the stage of final hearing and five hearings have already been held.

2. The scope of the judicial interference in arbitral proceedings is

very limited and by virtue of the Section 5 of the Act, judicial authorities are proscribed from interfering in the arbitral proceedings except where it is so provided under the Act.

3. Section 34 of the Act permits recourse to the Court against an arbitral award. Concededly, the impugned order is not an arbitral award. Therefore, the present petition is misconceived and is, accordingly dismissed.

IA No.8932/2016 and CAV Nos.647-648/2016

In view of above order, the application does not survive and is dismissed. The caveat is also discharged.

VIBHU BAKHRU, J

JULY 29, 2016

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