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

+ ARB.P. 591/2014

UNION OF INDIA Petitioner
Through Mr.Gyaneshwar, Adv.

versus

M/S DINESH ENGG & COMMERCIAL CORPORATION,
KOLKATA Respondent
Through Mr.Shiv Khorana, Adv.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER
% **22.07.2016**

Letter dated 21st July, 2016 has been received from Maj. Gen. Pradeep Mital (Retd.) who was appointed as sole Arbitrator in the matter. In para 3 of the letter, it is mentioned that the last arbitration hearing was held on 24th July, 2010 about six years back and due to inordinate delay, nothing has been proceeded further. Even, a part of his dues has not been paid by the parties and now, he is not inclined to continue with the arbitration proceedings. Copy of the letter is placed on the record.

In view of the said circumstances, the mandate of the Arbitrator Maj. Gen. Pradeep Mital (Retd.) is terminated as agreed by the parties who will pay his fee within four weeks from today.

Learned counsel for the petitioner is still insisting for arbitration. At this stage, the matter is referred to the Delhi International Arbitration Centre

(‘DAC’) who will appoint an Arbitrator in accordance with the provisions of the Arbitration and Conciliation Act, 1996. The Arbitrator to adjudicate the disputes between the parties as mentioned in the present petition. The parties are also allowed to file their respective claims and counter-claims before the Arbitrator.

The arbitration shall take place under the aegis of DAC. The Arbitrator shall ensure the compliance of the provisions of Arbitration and Conciliation (Amendment) Act, 2015 before commencing the arbitration. The fees of the learned Arbitrator shall be in terms of the schedule of the amended Act.

The petition is accordingly disposed of.

Copy of this order be given *dasti* to the learned counsel for the parties and a copy thereof be delivered to the Additional Coordinator, DAC forthwith.

MANMOHAN SINGH, J.

JULY 22, 2016/ka