

\$~

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

19

+

ARB.P. 532/2016

B M CONSTRUCTION CO.

..... Petitioner

Through: Mr. Ankit Miglani, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Jagjit Singh with Mr. Preet Singh
and Mr. Sukhdev Singh, Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER

%

25.10.2016

1. The limited prayer made in this petition is that the claims of Respondents that have been treated as 'excepted' claims by the Respondents should also be referred for adjudication by the sole Arbitrator already appointed by the Respondents.
2. Learned counsel for the Petitioner refers to the letter dated 6th May 2016 of the Respondent in which only some of the claims of the Petitioner have been referred to arbitration.
3. The Court is of the view that the question whether any of claims of the Petitioner, which have been characterised as 'excepted' claims by the Respondents, are in fact arbitrable in terms of the agreement between the parties should also be decided by the same Arbitrator to whom some of the claims have been referred by the Respondent.
4. Consequently the Court refers the excepted/left out claims of the Petitioner also for adjudication to the same sole Arbitrator to whom some

of the claims of the Petitioner have already been referred. The question of arbitrability of the claims will be decided by the Arbitrator in accordance with law.

5. The petition is disposed of in the above terms.

S.MURALIDHAR, J

OCTOBER 25, 2016

Rm