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

+ **O.M.P. (E) (COMM.) 43/2016**

GUIZHOU KAILIN FERTILIZER CO. LTD. Petitioner

Through Mr Ankit Jain and Mr Vaibhav Sharma,
Advocates.

versus

KRISHAK BHARATI COOPERATIVE LTD. Respondent

Through Mr Anuj Sarma, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **28.11.2016**

1. This is an application filed under Section 27 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, seeking this court's assistance for summoning of two witnesses.
2. The details of the said witnesses as well as documents required to be produced by them are as under:-

“a) Officer from the office of Law Officer (Fert.) Room No. 586-B, Krishi Bhawan, New Delhi.

To produce the file containing corrigendum dated 03.02.2014, bearing No. Ftl/Tech/Reference/660-61/2014 issued by Sh. S.V. Pandya, Chemist (Q.C.), Fertiliser Testing Laboratory, Sector-15, Gandhi Nagar (G.S.).

b) Officer from the Department of Agriculture and Cooperation, Ministry of Agriculture, Krishi Bhawan, New Delhi.

To produce the Minutes of Meeting on Quality Control

System and Release/Recovery of Subsidy of Fertilizers, held on 05.07.2013. ”

3. The arbitral tribunal had considered the request of the petitioner for summoning of the said witnesses and by an order dated 31.07.2016 permitted the petitioner to approach this Court for the necessary assistance.
4. The learned counsel appearing for the respondent has no objection to the present application being allowed. Accordingly, the Registry is directed to issue summons to the witnesses as indicated above with further direction for the said witnesses to produce the documents as indicated above. The witnesses would appear before the arbitral tribunal at Room No. 2-B, R. Agarwala Conference Room, Neeti Bagh Club, Neeti Bagh, New Delhi-110049 on 17.12.2016 at 11.00 a.m. The summons shall go by speed post as well as by one of the approved couriers. *Dasti* in addition.
5. The petition is disposed of.

VIBHU BAKHRU, J

NOVEMBER 28, 2016

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