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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 763/2016

M/S ERA-PATEL-ADVANCE-KIRAN (JV) Petitioner

Through: Mr. Manoj K. Singh, Advocate.

versus

RAIL VIKAS NIGAM LIMITED

..... Respondent

Through: Mr. Anil Seth, Mr. Udit Seth, Advocates

CORAM: JUSTICE S. MURALIDHAR

ORDER

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14.12.2016

1. With 12th December, 2016 being declared a holiday on account of Milad-Un-Nabi, the matter is taken up today.
2. It appears that on 1st December 2016, a letter was addressed to Mr. Deepak Krishan, a former General Manager, Southern Railway by the Respondent stating that the President, Institution of Permanent Way Engineers (India) (IPWE) has appointed him as presiding Arbitrator.
3. Learned counsel for the Respondent states that he will produce on the next date a copy of the above letter of the President IPWE.
4. Counsel for the Petitioner, however, points out that even this would be hit by the 5th Schedule to the Act as amended with effect from 23rd October 2015. He seeks time to examine the judgment of this Court dated 22nd

November 2016 in Arb. P. No. 596 of 2016 (*Hindustan Construction Co. Ltd. v. Ircon International Ltd.*)

5. At his request, list on 21st December 2016.

S.MURALIDHAR, J

DECEMBER 14, 2016

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