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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 96/2017

CIVCON CONSTRUCTION PVT. LTD., Petitioner
Through: Mr Dhruv Malik, Advocate

versus

CONTAINER CORPORATION OF INDIA
LIMITED (CONCOR) Respondent
Through: Mr R.K. Joshi and Mr Dilraj Kumar,
Advocates

CORAM: JUSTICE S.MURALIDHAR

ORDER

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09.03.2017

1. It is seen that the Petitioner has insisted on a three-member Arbitral Tribunal ('AT') and has not agreed to the suggestion of the Respondent to waive that requirement and opt for a sole Arbitrator.
2. Learned counsel for the Respondent states that consistent with the decision dated 22nd November, 2016 of this Court in OMP No. 596/2016 (*Hindustan Construction Co. Ltd. v. Ircon International Ltd.*), the Respondent will within a period of 3 weeks from today furnish to the Petitioner a fresh panel of names of the arbitrators from which the Petitioner will, within ten days thereafter, communicate to the Respondent its choice of two names out of the said panel. The Respondent will within a further period of two weeks thereafter choose one among those two names as arbitrator on behalf of the Petitioner. Within a period of four weeks thereafter, the entire

process of constitution of AT, consistent with the requirements of the Arbitration & Conciliation Act, 1996 as amended on 23rd October, 2015 (the Act) shall be completed.

3. In case of failure to constitute the AT, within the time limits as directed above, it will be open to the parties to apply to the Court.

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

S.MURALIDHAR, J

MARCH 09, 2017

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