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

+ **O.M.P. (E) (COMM.) 7/2017**

SOFTWARE TECHNOLOGY PARKS
OF INDIA (STPI)

..... Petitioner

Through Mr J.K. Singh, Advocate.

versus

GUPTA BROS. (INDIA), INTERIORS
& CONTRACTORS

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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10.04.2017

IA No.4165/2017

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

IA No.4164/2017

3. For the reasons stated in the application, the delay in re-filing the petition is condoned.
4. The application is disposed of.

O.M.P. (E) (COMM.) 7/2017

5. This is a petition filed under Section 27 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), for summoning of Mr D.K. Sharma, Proprietor of M/s D.K. & Associates, having its office at A-385,

Defence Colony, New Delhi for providing evidence in relation to the submission of drawings and other decisions provided to M/s Gupta Bros. (India).

6. It is the case of the petitioner that M/s D.K. & Associates of which Mr D.K. Sharma is the proprietor had provided the necessary decisions and drawings within time to M/s Gupta Bros. (India).

7. The petitioner has also drawn the attention of this court to an order dated 10.01.2017 reiterating the arbitral tribunal's order for production of evidence by M/s D.K. & Associates and further permitting the petitioner to take recourse to proceedings to seek this court's assistance under Section 27 of the Act. In view of the above facts, the present petition is allowed.

8. It is directed that summons be issued to Mr D.K. Sharma for appearing before the arbitral tribunal on 28.04.2017 at 3.00 p.m. at Indian Buildings Congress, Kama Koti Marg, Sector-VI, R.K. Puram, New Delhi for providing evidence in relation to the submissions, decisions and drawings provided to M/s Gupta Bros. (India). The witness shall also produce all relevant documents in his possession and control with regard to the aforesaid subject matter.

9. The petition is disposed of.

VIBHU BAKHRU, J

APRIL 10, 2017

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