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

+ **O.M.P.(I) (COMM.) 265/2016**

SABIHA CONSTRUCTION CO. PVT. LTD. Petitioner

Through Mr Gyanender Kumar, Advocate.

versus

SUPERTECH LIMITED & ANR. Respondents

Through Mr Kishav Mohan and Mr Rishi K
Awasthi, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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10.01.2017

The learned counsel for the petitioner states that a Local Commissioner be appointed for supervising the joint measurement by the parties. The learned counsel for the respondents have no objection for the same.

Accordingly, Mr Atul Gupta, Architect (Mobile No. 9811623694) is appointed as a Local Commissioner to supervise the joint measurement by the parties. The fee of the local commissioner is fixed at ₹1.5 lacs which will be borne by the petitioner. The Local Commissioner shall coordinate with the counsel for both the parties. The exercise of conducting the joint measurement shall start on 30.01.2017 and shall be completed as expeditiously as possible. The learned counsel for the parties shall coordinate with the Local Commissioner for the said purpose.

In the meanwhile, the petitioner shall invoke the arbitration agreement

and shall take steps for constitution of the arbitral tribunal within a period of four weeks from today.

In view of the above, the learned counsel for the petitioner does not press further reliefs and seeks liberty to move the arbitral tribunal for such interim relief as may be advised.

Accordingly, the petition is disposed of with the aforesaid liberty.

Order be given *dasti* under signature of Court Master.

VIBHU BAKHRU, J

JANUARY 10, 2017

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