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

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Judgment delivered on: 11.07.2017

+ OMP(E) (COMM.) 15/2017

DELHI METRO RAIL CORPORATION

..... Petitioner

versus

WESTEND MOTORS

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Mr M.U.Khan

For the Respondent :

Mr Manuj Aggarwal

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

11.07.2017

SANJEEV SACHDEVA, J. (ORAL)

1. This is a Petition under Section 27 of the Arbitration & Conciliation Act, 1996 (hereinafter referred to as the Act) on behalf of the petitioner for directions for summoning of Sh. Anil Sharma, Superintendent Engineer (E & M) from the Office of South MCD, Gate No.4, Room No.2, Ambedkar Stadium, New Delhi.

2. It is contended that, in terms of Section 27 of the Act, the Arbitral Tribunal, by order dated 24.05.2017, has granted approval for summoning of the witness.

3. Issue notice. Notice is accepted by the learned counsel appearing for the respondent, who submits that he has no objection to summoning of the witness.

4. In view of the above, the petition is allowed.

5. The Registry is directed to issue summons for the presence of the witness Sh. Anil Sharma, Superintendent Engineer (E & M) on 08.08.2017 at 2:00 pm, before the Arbitrator, at the Office of the Delhi High Court Bar Association to produce and to prove

- (i) Records of the Trailers & Prime Movers (office P.O No DMRC/ST/PUR/Delhi Govt./02(ii) dated 14.11.05 and
- (ii) Letters dated 17.01.2008 (Ref. No F-30 EE(E&M)-1/07-08/836 and 16.05.2008 (Ref. No. F-30EE (EM)-1/08-09/787) written by MCD to DMRC with respect to Trailers with prime movers.

6. The petition is, accordingly, disposed of.

SANJEEV SACHDEVA, J

JULY 11, 2017/st