

\$~OS-35

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

+ ARB.P. 708/2016

SOWIL LIMITED

..... Petitioner

Through Ms.Manmeet Arora and Ms. Chand
Chopra, Advs.

versus

RAIL VIKAS NIGAM LIMITED

..... Respondent

Through Mr. Jitendra Kr. Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **17.05.2017**

I.A. No. 6059/2017

By this application, the petitioner seeks revival of the arbitration petition. It is the contention of the petitioner that as per the order of this court dated 22.03.2017, the respondent had to nominate an arbitrator which they failed to do. She submits that the said order was challenged by the respondent before the Supreme Court by way of an SLP which has also been dismissed.

Learned counsel for the respondent has pointed out that the SLP was dismissed on 05.05.2017 and on 16.05.2017 they have appointed Sh.B..K.Makhija, (Retd.) Director Projects as their nominee arbitrator and now, the two arbitrators, namely, the one nominated by the petitioner and Sh. B.K.Makhija would appoint the third arbitrator.

The copy of the communication dated 16.05.2017 has been handed over to the learned counsel for the petitioner.

In view of the above, the application is accordingly disposed off.

MAY 17, 2017/rb

JAYANT NATH, J