

\$~OS-26

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

+ O.M.P. (E) (COMM.) 21/2017

DELHI METRO RAIL CORPORATION LIMITED..... Petitioner
Through Mr. M.U.Khan, Adv. with
Mr.Gandharv Makkar, Asst. Law Officer (DMRC)
and Mr.Sanjay Kumar, SSO/Legal (DMRC)

versus

WEST END MOTORS Respondent
Through Mr.Manuj AggarwalAdv.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

% **ORDER**
11.09.2017

This petition is filed under Section 27 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the Act) seeking to summon Sh. Anil Sharma, Superintending Engineer (E&M) from the Office of MCD, Gate No. 4, Room No.2, Ambedkar Stadium, New Delhi-2 to depose before the learned Arbitrator.

The matter is said to be listed on 19.09.2017 before the learned Arbitration at Conference Room No. 4, Delhi High Court Bar Association at 2.00 p.m.

Learned counsel for the respondent submits that he has no objection to this petition. It is pointed out that the learned Arbitrator in terms of Section 27 of the Act had earlier by order dated 24.05.2017 permitted the

parties to approach this court. It is also pointed out that pursuant to the said approval, the parties had filed OMP (E) (COMM) 15/2017 which was allowed on 11.07.2017. However, on that date the witness could not appear on account of official exigencies.

Keeping in view the above, the petition is allowed. The aforesaid witness be summoned for the aforementioned date with the concerned documents.

The petition stands disposed of.

A copy of this order be given dasti under signatures of the court master, as prayed.

JAYANT NATH, J

SEPTEMBER 11, 2017

rb