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

Date of Decision: 12.7.2018

+ **ARB.P. 488/2018**

DATTA & DATTA ASSOCIATES Petitioner
Through: Mr. Udit Seth, Adv.

versus

NATIONAL HIGHWAYS AUTHORITY
OF INDIA Respondent
Through: Md. Ehraz Zafar with Ms. Payal
Kakra, Advs.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

RAJIV SHAKDHER, J. (ORAL)

I.A. No.8929/2018

1. Allowed, subject to just exceptions.

ARB.P. No.488/2018

2. Issue notice.

2.1 Md. Ehraz Zafar, who, appears on advance notice for the respondent/NHAI, accepts notice.

3. Mr. Zafar submits that the respondent/NHAI is agreeable to the appointment of Hon'ble Mr. Justice Badar Durrez Ahmed, former Chief Justice, High Court of Jammu & Kashmir, as an Arbitrator in the matter; who, even otherwise is on its panel of Arbitrators.

4. Mr. Seth, who, appears for the petitioner, says that he has no objection to the appointment of Hon'ble Mr. Justice Badar Durrez Ahmed as an Arbitrator in the matter.

5. It is ordered accordingly.
6. Needless to say, the arbitration proceedings will be governed by the provisions of the contract obtaining between the parties.
- 6.1 Learned Arbitrator will fix his own fee in consultation with counsel for parties.
7. The captioned petition is disposed of in the aforementioned terms.
8. The Registry will dispatch a copy of this order to Hon'ble Mr. Justice Badar Durrez Ahmed.

RAJIV SHAKDHER, J

JULY 12, 2018/pmc