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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Order: 06.12.2018

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FAO 352/2018

M/S BVG-UKSAS EMS PRIVATE LIMITED Appellant

Through: Mr. Mahesh R. Jethmalani, Sr.
Advocate with Mr. Kumar Shashank,
Ms. Rukhmini Bobde, Mr. Nivesh
Kumar, Mr. Manik Sethi &
Ms. Somnadri Goud, Advocates.

Versus

CENTRALISED ACCIDENT & TRAUMA SERVICES

....Respondent

Through: Mr. Ramesh Singh, SC for GNCTD
with Mr. Chirayu Jain, Advocate.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

C.M. No.30479/2018, 30480/2018 & 30481/2018 (for exemption)

Allowed, subject to all just exceptions.

The applications stand disposed of.

C.M. No.51233/2018 (for delay)

For the reasons explained in the application, delay in filing the affidavit is condoned. The application stands disposed of.

F.A.O. No.352/2018

1. Mr. Ramesh Singh, Standing Counsel for the Government of NCT of Delhi, submits that in terms of their earlier letter dated 11.09.2018, the appellant has not provided the information detailed at serial Nos.1, 2, 4, 9, 10, 11, 16 & 17. He further points out that on detailed scrutiny of the matter, they have issued another letter dated

30.11.2018, a copy of which has been placed on record today, whereby certain additional information was sought from the appellant. He submits that information is still awaited.

2. *Per contra*, learned counsel for the appellant submits that each and every information contained not only in the letter dated 11.09.2018 but also in the letter dated 30.11.2018 has been supplied by the appellant to the respondent but still the release of 30 per cent of the payment is being withheld by the respondent.

3. The learned counsel for the respondent suggests that the arbitrator may be directed to look into the aspect as to whether the appellant has complied with the requirements of letters dated 11.09.2018 and 30.11.2018 and has provided requisite information to the respondent and decide the issue of payment of 30 % to the appellant. The learned counsel for the appellant has no objection. As such, it is directed that the arbitrator shall look into the matter and examine whether the requisite information/details have been provided to the respondent and decide the aspect related to the payment of 30 per cent amount within a period of eight weeks.

4. In view of the above directions, the appeal is not pressed by the learned counsel for the appellant and accordingly disposed off.

5. Copy of the order be given *dasti* under signatures of the Private Secretary.

(VINOD GOEL)
JUDGE

DECEMBER 06, 2018
‘AA’