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

+ O.M.P. (T) (COMM.) 56/2018

SATISH BUILDERS

..... Petitioner

Through: Mr. Anshul Mittal and Ms. Vaishali
Mittal, Advs.

versus

GOVERNMENT OF NCT OF DELHI

..... Respondent

Through: Mr. Ramesh Singh, CGSC with Mr.
Aniruddha Deshmukh, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **30.10.2018**

I.A. 13109/2018

1. This is an application which has been filed to seek modification of the order dated 23.8.2018.
2. By virtue of the said order, Mr. S.C. Vasudeva, Additional Director General (Retd.), Civil Public Works Department was appointed as a sole Arbitrator in place of, one, Mr. K.K. Peshin.
3. The fee of the learned Arbitrator was fixed at Rs.5 lakhs, which was required to be equally shared by the parties.
4. Thereafter on 25.9.2018, the aforementioned application was moved in view of the fact that Mr. S.C. Vasudeva, had conveyed that he would require the fee to be enhanced from Rs.5 lakhs to Rs. 15 lakhs.
5. The captioned application was moved in this context, a fact which is noticed in the proceedings of this Court dated 25.9.2018.

6. Mr. Ramesh Singh, who, appeared for the respondent i.e., the Government of NCT of Delhi on 4.10.2018 sought a short accommodation to revert with instructions as to whether the proposal for enhancement of fee made by Mr. S.C. Vasudeva would be acceptable to his client.

7. I am informed by Mr. Ramesh Singh, that the respondent i.e., the Government of NCT of Delhi has accepted the proposal for enhancement of fee with a caveat though that this will not form a precedent.

8. Accordingly, in my view, the petition can be disposed of with the direction that the order dated 23.8.2018 shall stand modified to the extent that Mr. S.C. Vasudeva will be paid a consolidated fee of Rs.15 lakhs, which will be shared equally by the parties.

8.1 It is made clear though that this will not form a precedent.

9. The Registry will despatch a copy of the order passed on 23.8.2018 and alongwith the order passed today to the learned Arbitrator i.e., Mr. S.C. Vasudeva.

10. *Dasti.*

RAJIV SHAKDHER, J

OCTOBER 30, 2018
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