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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 622/2018

M/S M. P. TYAGI ENGINEER & CONTRACTORS, THROUGH
SHRI M.P. TYAGI (PROPRIETOR

..... Petitioner

Through Ms. Seema Singh, Adv.

versus

GARRISON ENGINEER (CENTRAL) & ORS.

..... Respondents

Through Mr. Manish Mohan, CGSC with Ms.
Manisha Saroha, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **27.11.2018**

1 This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 (in short '1996 Act').

2 The record shows that two Arbitrators, appointed by respondent no.1, in the past, have resigned; Mr. Satish Chander and Mr. Neeraj Parashar. Mr. Satish Chander resigned on 30.01.2017, while, Mr. Neeraj Parashar, who was appointed in place of Mr. Satish Chandra, I am told, resigned in April, 2018.

3 These facts are not disputed by Mr. Manish Mohan, who, appears for the respondents.

3.1 Though, Mr. Manish Mohan has given a response to the panel of names furnished by the petitioner for appointing a substitute, it appears, given the history of the case, there could, once again, arise a

similar situation.

4 Given these circumstances, learned counsel for the petitioner says that this Court should appoint an Arbitrator.

5 I tend to agree with the learned counsel for the petitioner.

5.1 Accordingly, Mr. A.K. Singhal, (Retd.) Director General, CPWD is appointed as an Arbitrator in the matter. Learned Arbitrator will be paid his fee as per the provisions of the Fourth Schedule appended to the 1996 Act.

6 The petition is disposed of in the aforesaid terms.

7 *Dasti* under the signatures of the Court Master.

RAJIV SHAKDHER, J

NOVEMBER 27, 2018

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