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

+ O.M.P. (COMM) 458/2016

GLOBAL VISIONARIES EVENTZ PRIVATE
LIMITED

..... Petitioner

Through: Mr Praveen Agrawal, Mr Dinkar
Kumar, Ms Kiran Mahato, Mr Pranay
Naggi and Mr Amresh Jha,
Advocates.

versus

DELHI METRO RAIL CORPORATION LIMITED
& ANR.

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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22.05.2018

1. The petitioner has filed the present petition under Section 34 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, impugning an arbitral award dated 15.07.2016. After some arguments, learned counsel for the respondent states that the arbitral award be set aside and the parties may be relegated to a fresh arbitration. The learned counsel for the petitioner is also agreeable to the said suggestion. He further submits that the arbitration be conducted by Delhi International Arbitration Centre (DIAC).

2. In view of the above and with the consent of the parties, the impugned award is set aside. The arbitrator will be appointed by the DIAC. The arbitration shall be conducted under the aegis of DIAC and in accordance

with its Rules.

3. It is further directed that there is no requirement for any fresh evidence or fresh pleading and the arbitrator shall hear the final arguments and decide the claims and counter claims on the basis of the arbitral record. Any amount paid against the present arbitral award will be taken into account by the arbitrator while passing the fresh award.

4. The soft copy of the arbitral record be sent to the Coordinator, DIAC. The parties are also at liberty to collect the arbitral record and file the same with DIAC.

5. The parties shall appear before the Coordinator, DIAC on 31.05.2018 at 3:00 PM for further proceedings.

6. This order is passed with the consent of the parties. The petition is disposed of in the above terms.

MAY 22, 2018
MK

VIBHU BAKHRU, J