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IN THE HIGH COURT OF DELHI AT NEW DELHI

O.M.P.(I) (COMM.) 365/2018 & IA 12653/2018

MBP SOLAR PRIVATE LTD. A SUBSIDIARY OF PATIL

CONSTRUCTION AND INFRASTRUCTURE LTD. Petitioner

Through: Mr.Santosh Tripathi, Mr.S.M.Jadhav,
Mr.Nicholas Choudhury, Advs.

versus

SOLAR ENERGY CORPORATION OF INDIA & ANR.

..... Respondents

Through: Mr.Dev P.Bhardwaj, CGSC for UOI
Mr.Bharata Sangal, Ms.Babita Kushwaha,
Ms.Anindita Deka, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

27.09.2018

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Counsel for the respondent no.2 submits that respondent no.2 is not agreeable for appointment of a Sole Arbitrator.

Counsel for the petitioner submits that keeping in view the cost and delay involved in a three Member Arbitral Tribunal and as the bank guarantee of the petitioner has already been encashed and the Power Purchase Agreement (PPA) terminated, it would again make an endeavour to persuade respondent no.2 for the appointment of a Sole Arbitrator for adjudicating the disputes that have arisen between the parties.

Granting such liberty to the petitioner, the present petition is disposed of as having become infructuous.

Dasti under the signature of the Court Master.

NAVIN CHAWLA, J

SEPTEMBER 27, 2018/RN