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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P. (E) (COMM.) 35/2018
GEE CAB INDUSTRIES LTD. Petitioner
Through: Ms.Chandrika Gupta, Adv.

versus

NORTHERN RAILWAYS Respondent
Through: Mr.Jagjit Singh, Sr. Standing Counsel
for Railways with Mr.Vipin Chaudhary, Mr.Preet
Singh, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **29.11.2018**

IA 16238/2018

Exemption allowed subject to all just exceptions.

OMP(E) (COMM) 35/2018

This petition has been filed by the petitioner under Section 27 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act') seeking assistance of this Court to summon the following witnesses to appear before the Sole Arbitrator on 04.12.2018:

<i>S.No.</i>	<i>Details of the Witness</i>	<i>Relevancy</i>
<i>1.</i>	<i>Concerned person/official from Trackon Courier Company At C-143, Naraina Industrial Area, Phase-I, New Delhi-110028 alongwith the record of the Courier sent on 28.09.2010 bearing Receipt No.208323289 on behalf of the Claimant to the Respondent.</i>	<i>To prove the service of Letter dated 28.09.2010 sent through Courier to the Respondent.</i>

2.	<i>Concerned clerk from the RTI Department of the Railway Board i.e. office of the Executive Director, Railway Stores(G)/AA, Ministry of Railways, Rail Bhawan, Rafi Marg, New Delhi with records of the RTI Application as well as the decision in the Appeal of File bearing No.RB/RTI/2015/010055381 titled "S.K.Chopra Vs. Ministry of Railways, New Delhi".</i>	<i>To prove the lack of any condition relating to General Damages under the Indian Railways Standard Conditions of Contract.</i>
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The Arbitrator vide his order dated 20.11.2018 has allowed the petitioner to summon the above witnesses.

In view of the above, let summons be issued to abovementioned witnesses for their appearance before Mr.Padam Kant Saxena, Sole Arbitrator in case Ref. No. DAC/1222/06-16 at the Delhi International Arbitration Centre (DIAC) on 04.12.2018 at 2.00 p.m.

The summons may be served dasti by the petitioner on the said witnesses.

The diet money for the witnesses shall be paid by the petitioner on their appearance before the Arbitrator.

The petition is allowed in the above terms with no order as to costs.

NAVIN CHAWLA, J

**NOVEMBER 29, 2018
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