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IN THE HIGH COURT OF DELHI AT NEW DELHI
ARB. A. (COMM.) 50/2017, CAV 1051/2017, IA Nos.14493-
14494/2017
AYUSH JAIN

..... Petitioner
Through : Mr.S.C.Ladi, Sr. Adv. with
Ms.Deekshal Kakar and Mr.Vipul
Goel, Advs.

versus

HERO FINCORP LIMITED & ORS.

..... Respondents
Through : Mr.V. D'Costa and Ms.Astha, Advs.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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05.02.2018

The petitioner has filed this petition against order dated 26.10.2017 whereby the right of the petitioner to produce the handwriting expert as a Defence Witness was closed by the learned arbitrator and an application of the petitioner for recalling of an order dated 13.10.2017 whereby right to cross examine the witness respondent No. 3 Mr. Sanjay Jain has been dismissed. It is submitted now by learned counsel for the respondent that witness Sanjay has now since been examined so this part of the prayer has become infructuous. However, learned counsel for the respondent submits that if petitioner wants to examine the handwriting expert may move an application under Section 26 of the Act before the sole arbitrator

and it be decided as per law. Accordingly order dated 26.10.2017 is set aside to the extent of rejection of the prayer of the petitioner for examining the handwriting expert. He may move fresh application which be decided by the learned Arbitrator as per law without being influenced by the order passed earlier.

In view of the above the petition is disposed of.

Copy of the order be given dasti to counsels for the parties under the signature of the Court Master.

YOGESH KHANNA, J

FEBRUARY 05, 2018
VLD