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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(MISC.)(COMM.) 5/2018**
RAILONE TARMAL DURGA (JV)

..... Decree Holder

Through : Mr.Prashant Kumar, Mr.Amit Singh
and Mr.Rajan Singh, Advocates.

versus

RAIL VIKAS NIGAM LIMITED

..... Judgement Debtor

Through : Mr.Udit Seth, Advocate.

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **15.01.2018**

This is a petition under Section 29 (A) (iv) the Arbitration and Conciliation Act, 1996 for extension of the period of proceedings before the arbitral tribunal. It is submitted the said period has already expired. The learned counsel for the respondent has serious concerns about the manner in which the proceedings are being conducted by the arbitral tribunal comprising of three learned arbitrators.

Looking into such concerns, the learned counsel for the petitioner says he also has no objection, in case a single arbitrator - a retired Judge of this Court is appointed as a sole arbitrator to adjudicate upon the disputes between the parties as it shall also reduce the cost factor. The learned counsel for the respondent has no objection to it.

In the circumstances, while terminating the mandate of earlier tribunal I hereby appoint Justice Ms.Sunita Gupta (Mobile.

No.9910384628) a retired Judge of this Court as a sole arbitrator to adjudicate upon the disputes between the parties. The proceedings shall be conducted under the aegis of the Delhi International Arbitration Centre (DIAC), Delhi High Court as per its fee schedule. Parties to appear before the learned arbitrator on 30.01.2018 at 11.30AM. Both the parties shall cooperate for expeditious disposal of the arbitral proceedings. The observations made above shall have no bearing on the conduct of any of the members of the tribunal whose mandate is terminated.

In above terms, the petition stands disposed of.

YOGESH KHANNA, J

JANUARY 15, 2018

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