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

+ **ARB.P. 244/2019**

SHRI MUKESH SHARMA SOLE PROPRIETOR OF BM & SONS

..... Petitioner

Through: Mr. Sanjay Bhaumik, Advocate.

versus

OFFICE OF EXECUTIVE ENGINEER & ORS. Respondents

Through: Mr. Devesh Singh, ASC (Civil)
GNCTD along with Ms. Sukriti Ghai,
Advocate for Respondent Nos.
1,2,3,4/GNCTD.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **24.05.2019**

I.A. 7685/2019--U/S 152 CPC

1. The Petitioner has pointed out certain clerical errors which have crept in the order dated 9th May 2019.
2. Vide the said order, the Court appointed Sh. M.C.T. Pareva, Retired Addl. Director General (ADG) (CPWD), to act as the sole Arbitrator.
3. However, his name/designation has been incorrectly reflected in paras 2

and 3 of the order.

4. Accordingly, the necessary corrections be carried out.

5. The order shall now read as under:-

“1. The present petitions filed under Section 11(6) of the Act, seek the appointment of an Arbitrator. The Respondent does not dispute the existence of the arbitration agreement. The notice invoking arbitration is also not disputed and is a matter of record.

2. Learned Additional Standing Counsel, Govt. of NCT on instructions states that the Respondents have no objection to the appointment of an Arbitrator from its panel of retired CPWD/PWD officers. He has also handed over a copy of the letter dated 1st May, 2019 addressed to him wherein the panel of the Arbitrators have been listed out, with a copy to Learned counsel for the Petitioner. Learned counsel for the Petitioner states that he has no objection in case, Sh. M.C.T. Pareva, Retired Addl. Director General (ADG) (CPWD) is appointed as an Arbitrator in the present matter for the adjudication of disputes that have arisen between the parties.

3. Accordingly, Sh. M.C.T. Pareva, Retired Addl. Director General (ADG) (CPWD) is appointed as Arbitrator in the present matter. Respondent shall within a period of ten days, issue consequential directions, if any to the said Arbitrator.

4. The parties are directed to appear before the Arbitrator as and when notified. Learned Arbitrator will issue a declaration under Section 12 read with the attendant provisions of the 1996 Act before entering upon reference.

5. The learned Arbitrator will be paid his fee in terms of the provisions of the Fourth Schedule appended to the Arbitration

and Conciliation Act, 1996.

6. The Petition is allowed in the above terms. No order as to costs. The Registry will despatch a copy of this order to the learned Arbitrator through the Respondent.”

6. The application is allowed in above terms.

SANJEEV NARULA, J

MAY 24, 2019

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