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

+ **ARB.P. 242/2019**

SHRI MUKESH SHARMA SOLE PROPRIETOR OF BM & SONS
..... Petitioner

Through: Mr. Sanjoy Bhaumik, Advocate.

versus

OFFICE OF EXECUTIVE ENGINEER & ORS. Respondents

Through: Mr. Devesh Singh, ASC (Civil)
GNCTD with Ms. Sukriti Ghai,
Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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16.05.2019

1. The present petition filed under Section 11(6) of the Act, seeks 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. On 9th May 2019, Learned Additional Standing Counsel, Govt. of NCT had sought a short accommodation to take instructions from his client with respect to the panel of Arbitrators for appointment. Learned counsel on instructions states that the Respondents have no objection to the appointment of an Arbitrator from its panel of retired CPWD/PWD officers. Learned counsel for the Respondents has handed over a copy of the letter dated 9th May 2019 wherein the panel of the Arbitrators have been listed out.

The same is taken on record. 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.

SANJEEV NARULA, J

MAY 16, 2019

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