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

+ **ARB.P. 335/2019**

M/S ROSHAN REAL ESTATES PVT. LTD. Petitioner
Through: **Mr.Amit Choudhary and Mr.Bhumit Solanki, Advs.**

versus

UNION OF INDIA Respondent
Through: **Mr.P. S. Singh, Sr. Panel counsel with Ms.Annu Singh and Mr.Vaibhav Singh, Advs.**

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **18.12.2019**

1. The present petition has been filed by the petitioner with the following prayers:-

“a) allow the present application filed by the Applicant;

b) refer the said additional claim no.1 (original Claim no.7) to the Ld. Arbitrator for adjudication;

c) pass such other and further order(s) that this Hon’ble Court may deem fit and proper in the facts and circumstances of the case be also passed in favour of the Applicant and against the Respondent.”

2. Learned counsel appearing for the petitioner has drawn my attention to page 12 of the documents to contend that the authority has referred nine claims for adjudication by the learned Sole Arbitrator. Unfortunately, one

claim with regard to the balance payment of final bill of electrical component for ₹ 21,83,685/- has not been referred. He states that this petition is primarily for reference of that claim also to the learned Sole Arbitrator who is seized of the disputes.

3. On the other hand, learned counsel for the respondent states, as per his instructions, that the Executive Engineer has said that he shall decide the aforesaid claim of the petitioner within a period of one month from today.

4. I deem it appropriate to dispose of the petition in view of the submission made by the learned counsel for the respondent that the claim with regard to the bill of electrical component for ₹ 21,83,685/- shall be decided within a period of one month from today.

5. It is expected that the Executive Engineer shall communicate his decision to the petitioner within one week thereafter.

6. If the petitioner is still aggrieved by the decision of the Executive Engineer, liberty shall be with the petitioner to file an appropriate petition seeking reference of the said claim.

7. The petition is disposed of.

V. KAMESWAR RAO, J

DECEMBER 18, 2019/bh