

\$~34

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

+ **ARB.P. 862/2018**

INDUS TOWERS LTD

..... Petitioner

Through: Mr. Rajiv Sharma with Mr. Nishant
Menon, Ms. Kavita Sarin and Mr.
Shafiq Ahmed, Advs

versus

RELIANCE COMMUNICATIONS LTD & ANR..... Respondents

Through: Mr. Sachin Datta, Senior Advocate
with Mr. Vaibhav Niti and Ms.
Madhavi Agarwal, Advs

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **06.02.2019**

1. Mr. Vaibhav Niti, who appears for the respondent, has returned with instructions.
2. Learned counsel for the respondent says that via communication dated 05.02.2019 the petitioner's counsel has been informed that Hon'ble Mr. Justice Amitava Roy, former Judge, Supreme Court of India, has been appointed as respondent's nominee-Arbitrator.
3. Learned counsel thus says that since the petitioner has already appointed its nominee Arbitrator, the two Arbitrators could in terms of Clause 21.3 of the Master Service Agreement ("MSA") dated 31.05.2010 appoint the Presiding Arbitrator.

4. Mr. Rajiv Sharma, who, appears for the petitioner, says that the petitioner's nominee Arbitrator is Hon'ble Mr. Justice Kailash Gambhir, former Judge, Delhi High Court.
5. In these circumstances, at request, the captioned petition is closed.
6. The two nominee-Arbitrators would be free to act in terms of Clause 21.3 of the MSA.
7. *Dasti.*

RAJIV SHAKDHER, J

FEBRUARY 06, 2019

c