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

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Date of decision: 30.01.2020

+ ARB.P. 68/2020 and IA 1301/2020
R. K. ASSOCIATES AND HOTELIERS PVT.LTD Petitioner
Through

versus

INDIAN RAILWAY CATERING AND TOURISM
CORPORATION LIMITED (IRCTC) Respondent
Through

+ ARB.P. 71/2020 and IA 1317/2020
R. K. ASSOCIATES AND HOTELIERS PVT.LTD Petitioner
Through

versus

INDIAN RAILWAY CATERING AND TOURISM
CORPORATION LIMITED (IRCTC) Respondent
Through

+ ARB.P. 72/2020 and IA 1318/2020
M/S ROOP CATERERS. Petitioner
Through

versus

INDIAN RAILWAY CATERING AND TOURISM
CORPORATION LIMITED (IRCTC) Respondent
Through

+ ARB.P. 73/2020 and IA 1319/2020
R.K.ASSOCIATES AND HOTELIERS PVT.LTD. Petitioner
Through

versus

INDIAN RAILWAY CATERING AND TOURISM
CORPORATION LIMITED (IRCTC) Respondent
Through

+ ARB.P. 74/2020 and IA 1320/2020
M/S ROOP CATERERS. Petitioner
Through

versus

INDIAN RAILWAY CATERING AND TOURISM
CORPORATION LIMITED (IRCTC) Respondent
Through

Presence:

Mr. Manish K. Bishnoi, Mr. Umang Raj, Mr. Anurag
Sarda and Mr. Sachin Sharma, Advocates for
petitioners.

Mr. Nikhil Majithia, Advocate for the Respondent

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

1. Mr. Majithia, learned counsel for the respondent, on instructions, submits that since similar matters are being adjudicated by the Arbitral Tribunal constituted pursuant to the order of this Court in Arb. Petitions

Nos. 745/2019 and other connected matters, decided on 11.12.2019, respondent has taken a decision that the Award passed in those proceedings would be treated as an Award, with respect to the contracts which are subject matter of these petitions, so as to avoid multiplicity of litigation.

2. Mr. Bishnoi, learned counsel for the petitioners has sought instruction on this aspect from the petitioners. He submits that the petitioners are willing to accept this course of action and would treat the Award that would be passed in the pending proceedings before the Arbitral Tribunal as an Award, for the contracts in the present cases.

3. With the consent of the parties, the present petitions are disposed of recording the undertakings as above. Since the parties have consented as above and the Award passed in similar cases being adjudicated by the Arbitral Tribunal constituted by Justice Swatanter Kumar, former Judge of Supreme Court of India would be an Award governing the present contracts, no further orders are required to be passed in the present petitions for appointment of a separate Arbitrator. Needless to state, that the parties shall be at liberty to take recourse to remedies available to them in law against the Award so passed.

4. The petitions and the applications filed herewith are disposed of in the above terms.

JYOTI SINGH, J

JANUARY 30, 2020/yg /

Arb. Pet. 68/2020 & conn.

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