

\$~26 & 27(original)

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

+ **ARB.P. 187/2021**

MIS WOOD POINT

..... Petitioner

Through: Mr. N. Raja Singh, Ms.
Manisha Chaudhary and Ms. Manisha
Sharma, Advs.

versus

DIRECTOR, ESP-4

..... Respondent

Through: Mr. Ajay Digpaul, CGSC with
Mr. Sehaj Garg, GP and Mr. Kamal R.
Digpaul for Respondent/UOI
Mr. Dhruv Dwivedi, Adv. for R-2

+ **O.M.P.(I) (COMM.) 317/2020**

M/S WOOD POINT

..... Petitioner

Through: Mr. N. Raja Singh, Adv.

versus

DIRECTOR, ESP-4 & ANR.

..... Respondents

Through: Mr. Ajay Digpaul, CGSC with
Mr. Sehaj Garg, GP and Mr. Kamal R.
Digpaul for Respondent/UOI
Mr. Dhruv Dwivedi, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (O R A L)

06.10.2021

(Video-Conferencing)

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ARB.P. 187/2021

1. Learned Counsel for both sides are agreeable to Justice R.P. Singhal, a former Additional District Judge, being appointed as an arbitrator to arbitrate on the disputes between the parties.
2. As such, Arb. P. 187/2021 is disposed of by referring the disputes between the parties to arbitration to Justice R.P. Singhal.
3. The learned Arbitrator would be entitled to charge fees in accordance with the Fourth Schedule to the Arbitration and Conciliation Act, 1996 or as otherwise fixed by him in consultation with the parties.
4. The learned Arbitrator would submit the requisite disclosure under Section 12(2) of the 1996 Act within a week of entering on reference.

O.M.P.(I) (COMM.) 317/2020

5. Learned Counsel for both sides are also agreeable to OMP (I) (COMM) 317/2020 being disposed of, by referring the present OMP for adjudication by the learned Arbitrator, to be treated as an application under Section 17 of the 1996 Act.
6. The parties would not be required to file any separate application under Section 17 and the petitioner is at liberty to present the OMP before the learned Arbitrator who would be entitled to treat the OMP as an application under Section 17.

7. Learned Counsel are also agreeable to the interim order, passed by this Court on 30th September, 2020 in OMP (I) (COMM) 317/2020 continuing to remain in operation, subject to the orders to be passed by the learned Arbitral Tribunal on the said OMP treating it as an application under Section 17.

8. In view of the above, OMP (I) (COMM) 317/2020 stands disposed of in the aforesaid terms.

C. HARI SHANKAR, J

OCTOBER 6, 2021/kr



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