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

% Judgment delivered on: 27th April, 2022

+ **ARB.P. 487/2022**

HINDUSTAN CONSTRUCTION COMPANY LIMITED...Petitioner

versus

NATIONAL HIGHWAYS & INFRASTRUCTURE
DEVELOPMENT CORPORATION LIMITED Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Dayan Krishan, Senior Advocate with
Advocate (name not given).

For the Respondent: Mr. Alok Kumar Jain, Advocate

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J

1. Petitioner seeks appointment of an Arbitral Tribunal pursuant to the contract agreement for rehabilitation and augmentation of four laning of Numaligarh to Jorhat section dated 14.11.2014.
2. Issue notice. Notice is accepted by learned counsel for respondent.
3. Learned counsel for respondent submits that without prejudice to their rights and contentions, they have no objection to the



constitution of the Arbitral Tribunal.

4. Learned counsel for the petitioner submits that they have nominated Dr. M.S. Srinivasan as their nominee Arbitrator. Learned counsel for respondent submits that as per his instructions, respondent is nominating Mr. Alok Chaturvedi, IAS (Retd.) as their nominee Arbitrator.

5. With the consent of the parties, Mr. Justice Mukundakam Sharma (retd), former Judge of the Supreme Court is appointed as the third Arbitrator to act as the presiding Arbitrator.

6. The Arbitral tribunal shall entertain the claims and counter claims, if any, of the parties.

7. The fees of the Arbitrator Tribunal shall be as per the Fourth Schedule of the Arbitration and Conciliation Act, 1996.

8. The Arbitrators shall furnish the requisite disclosure under section 12 of the Arbitration and Conciliation Act, 1996 within two weeks of entering reference.

9. Petition is disposed of in the above terms.

SANJEEV SACHDEVA, J

APRIL 27, 2022

NA