

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

% **Date of order : 22nd March, 2023**

+ **ARB.P. 1309/2022**

ARVIND TECHNO GLOBE JV Petitioner
Through: **Ms.Tanya Kumari, Advocate**

versus

DELHI METRO RAIL CORPORATION LTD Respondent
Through: **Mr.Deepanjan Dutta, Advocate for DMRC**

CORAM:
HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

CHANDRA DHARI SINGH, J (Oral)

1. The matter has been taken up for directions for Order dated 6th March 2023 passed by this Court while deciding the instant petition under Section 11 of the Arbitration and Conciliation Act, 1996 filed on behalf of the petitioner.
2. *Vide* Order dated 6th March 2023, this Court had appointed Justice (Retd.) N V Ramana, former Chief Justice of India, as a Sole Arbitrator to adjudicate the disputes between the parties. However, he has expressed his difficulty to act as a Sole Arbitrator in the instant matter due to time constraints and prior commitments.
3. In view of the above circumstances, the Order dated 6th March

2023, stands modified to this effect and the relevant portion of the same be now read as under:-

“.....

24. *As agreed on behalf of the parties, this Court finds it appropriate to refer the disagreements arising between the parties with respect to the Contract Agreement dated 22nd July, 2013 to an independent sole arbitrator for its redressal. Hence, the following order:*

ORDER

(i) *Justice Shiva Kirti Singh, Former Judge, Supreme Court of India, is appointed as a sole, arbitrator to adjudicate the disputes between the parties which have arisen under the Contract 'Agreement dated, 22nd July 2013;*

(ii) *The learned sole arbitrator entering the arbitration reference, shall ensure the compliance of Section 12(1) of the Arbitration and Conciliation Act, 1996;*

(iii) *The learned sole arbitrator shall be paid fees as prescribed under the Delhi International Arbitration Centre; (DIAC) (Administrative Cost and Arbitrators Fees) Rules, 2018 as amended vide notification dated 15th November, 2022;*

(iv) *At the first instance, the parties shall appear before the learned sole arbitrator within 10 days from today on a date which may be mutually fixed by the learned sole arbitrator;*

and

(v) *All contentions of the parties are expressly kept open.*

26. *The petition is disposed of in the aforesaid terms along with pending applications, if any.”*

4. A copy of the order be forwarded to the learned sole arbitrator on the following address:

Justice Shiva Kirti Singh,
Former Judge, Supreme Court of India
Mobile No: +91-9899016327
E-mail id: shivakirtisingh@gmail.com

5. Accordingly, the instant petition stands dismissed.
6. The order be uploaded on the website forthwith.

MARCH 22, 2023
Sv/AS

CHANDRA DHARI SINGH, J

Click here to check corrigendum, if any

नित्यमेव जयते