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

+ **ARB.P. 601/2024**

SH. S.S. SAINI (PROP. M/S SURINDRA BUILDERS)..... Petitioner

Through: Ms. Samapika Biswal and Mr. Aman
Kumar Yadav, Advocates.

versus

AIR FORCE NAVAL HOUSING BOARD Respondent

Through: Mr. Garvit Solanki, Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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07.05.2024

I.A. 10259/2024 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The Petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 has been filed jointly on behalf of the petitioner and the respondent seeking appointment of the Arbitral Tribunal.
4. It is submitted that Sh. Padam Kant Saxena, learned Additional District Judge, Delhi (retd.), was appointed as an Arbitrator by the respondent, on 31.07.2019. The matter is at the stage of final arguments.
5. At this stage, learned Arbitrator has directed the parties to seek the confirmation of the appointment, in terms of the Judgment of the Apex Court in “Perkins Eastman Architects DPC vs. HSCC (India) Limited”, AIR 2020 SC 59.



6. Both the parties have submitted that the appointment of the learned Arbitrator may be confirmed so that it be treated and deemed as an appointment under Section 11 of the Act.

7. **Submissions heard.**

8. Considering the submissions made and that the petitioner has participated and consented to the appointment of Sh. Padam Kant Saxena, as the Arbitrator, the appointment of the learned Arbitrator is hereby confirmed.

9. The Petition is allowed.

NEENA BANSAL KRISHNA, J

MAY 7, 2024/RS