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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P.(MISC.)(COMM.) 613/2024

BABU LAL CHOUDHARY

.....Petitioner

Through: Mr. Vinay Gautam, Adv.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Mukul Singh, Ms. Ira Singh,
Adv.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

20.11.2024

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1. *Vide order dated 15.10.2024 it was recorded as under:*

“1. This is a petition preferred by the learned arbitrator appointed in respect of disputes between the respondent no.1 and 2 under a contract (supply order) dated 30.05.2014.

2. It is averred in the petition that the arbitral award has been issued on 21.09.2023, but his remuneration has not been paid in full by either of the parties.

3. According to the learned arbitrator, a sum of Rs. 22,96,393/- (Rs. Twenty Two Lakhs Ninety Six Thousand Three Hundred and Ninety Three only) is due from the respondent no.1 and sum of Rs. 3,78,439/- (Rs. Three Lakhs Seventy Eight Thousand Four Hundred and Thirty Nine only) is due from the respondent no.2. The fee has been computed on the basis of the IVth schedule of the Arbitration and Conciliation Act, 1996.

4. Learned counsel for the respondent no.1 submits, on instructions, that the said respondent is willing to pay a sum of Rs. 22,96,393/- (Rs. Twenty Two Lakhs Ninety Six Thousand Three Hundred and Ninety Three only) that is the amount demanded from the respondent no.1 to the arbitrator within a period of 6 weeks from today.

5. Learned counsel for the respondent no.2 seeks some time to take instructions as regards payment of the sum of Rs. 3,78,439/- (Rs.



Three Lakhs Seventy Eight Thousand Four Hundred and Thirty Nine only) by the said respondent to the learned arbitrator.

6. Let the sole proprietor/authorized representative of respondent no.2 join the proceedings on the next date of hearing through video conferencing.

7. List on 24.10.2024.”

2. Today, learned counsel for the respondent no. 2 submits, on instructions, that the amount of Rs.3,78,439/- (Rs. Three Lakhs Seventy Eight Thousand Four Hundred and Thirty Nine only) shall be paid by the respondent no.2 to the learned Sole Arbitrator, latest within a period of six weeks from today. The said statement is taken on record.

3. In the circumstances, no further directions are required to be passed in the present petition and the same is accordingly disposed of.

4. It is made clear that in the event of non-payment of the requisite amount by the respondent no.1 and 2, in terms of the order dated 15.10.2024 and in terms of the statement/ undertaking recorded hereinabove, the same shall be treated as wilful disobedience of the orders of this Court, warranting appropriate action.

SACHIN DATTA, J

NOVEMBER 20, 2024/at