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

+ **ARB.P. 1315/2024**

SHREE BHAGWAN BUILDERS

.....Petitioner

Through: Mr. Dinesh Kumar Mishra, Advocate.

versus

UNION OF INDIA

.....Respondent

Through: Mr. Gaurav Sharma, Senior panel
Counsel with Mr. Sachin Singh,
Advocate and Mr. M.K. Pandey,
ASW, Civil, AIR
Ms. Monika Arora, Mr. Subrodeep
Saha and Ms. Radhika Kurdukar,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

21.10.2024

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1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 by the Petitioner seeking appointment of an Arbitrator to adjudicate upon the disputes which have arisen between the parties under the Contract bearing No.CA No.03/EE(C)/MHP/Agmt/21-22 entered into between the parties. Clause 25 of the General Condition of Contract provides for an arbitration clause.
2. Notice was issued in the petition on 27.08.2024.
3. Mr. Gaurav Sharma, Senior Panel Counsel for Union of India on instructions from Mr. M. K. Pandey, Assistant Surveyor of Works (Civil), AIR, states that they have no objection to the appointment of an Arbitrator.



4. Accordingly, Maj. Gen. K T Gajria (Engineer) (Mob. No.9873200483) is appointed as an Arbitrator to adjudicate upon the disputes between the Parties.
5. The arbitration would take place under the aegis of the Delhi International Arbitration Centre (DIAC) and would abide by its rules and regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.
6. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the 1996 Act within a week of entering on reference.
7. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.
8. Needless to say, nothing in this order shall be construed as an expression of this Court on the merits of the contentions of the parties.
9. The present petition stands disposed of in the above terms along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

OCTOBER 21, 2024

S. Zakir