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

+ **ARB.P. 1339/2024**

**THINKCIRCUIT TECHNOLOGIES PVT. LTD. THROUGH
AUTHORIZED REPRESENTATIVE**Petitioner

Through:

versus

**UNION OF INDIA THRU. PRINCIPAL CHIEF ENGINEER
ELECTRICAL/TRS NORTHERN RAILWAY AND ANR.**

.....Respondents

Through: Mr. Neeraj, SPC with Mr. Vedansh
Anand, GP and Mr. Soumyadip
Chakraborty, Mr. Sachin Saraswat,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

28.10.2024

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1. The present petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 ('A&C Act') has been filed by the Petitioner seeking appointment of an independent sole arbitrator to adjudicate the disputes between the parties.

2. It is stated that the Petitioner herein entered into a contract with the Respondent herein vide Work Order dated 25.05.2021 for Rehabilitation of PCBs Cards for three phase electric locomotives sanctioned under RSP by Railway Board. It is stated that disputes have arisen between the parties regarding the said Work Order. It is stated that the Petitioner herein invoked Clause 64 of the Indian Railways General Conditions of Contract, July-2020 which provides for arbitration for adjudication of the disputes between the



parties.

3. It is stated that the Petitioner herein sent a notice dated 20.12.2023 to the Respondent invoking the Arbitration Clause. Since no reply has been given by the Respondent to the letter of the Petitioner, the Petitioner has approached this Court by filing the present Petition.

4. In view of the fact that disputes have arisen between the Parties and there is an arbitration clause, this Court is inclined to appoint an Arbitrator to adjudicate upon the disputes between the Parties.

5. Accordingly, Mr. R P Gupta, (Retd. Chief Engineer, Indian Northern Railways) e-mail:- rpgassociates.rp@gmail.com is appointed as the Sole Arbitrator to adjudicate upon the disputes between the parties.

6. The learned arbitrator shall be entitled to fees as per the Schedule of Fees mentioned under the A&C Act.

7. The learned arbitrator is also requested to file the requisite disclosure under Section 12(2) of the A&C Act within a week of entering on reference.

8. 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.

9. 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.

10. The present petition stands disposed of in the above terms.

SUBRAMONIUM PRASAD, J

OCTOBER 28, 2024

Rahul