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

+ **O.M.P.(I) (COMM.) 413/2024**

MS HIMALAYAN FLORA AND AROMAS PVT LTDPetitioner

Through: Ms. Vandita Nain, Advocate

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Mr. Tushar Sannu, Advocate

**CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER
09.12.2024**

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I.A. 47802/2024

1. This is an application on behalf of the Petitioner seeking modification of the Order dated 06.12.2024 passed by this Court appointing Justice Rajiv Shakhder, Former Chief Justice of the Himachal Pradesh High Court, as the Arbitrator and at the same time invoking emergency arbitration under the DIAC.
2. It is stated by learned Counsel for the Petitioner that if a Tribunal is constituted, then DIAC cannot initiate emergency proceedings and therefore there is a contravention in terms of the Order dated 06.12.2024.
3. The Order dated 06.12.2024 is modified to the extent that the arbitration be conducted under the aegis of DIAC. The DIAC is directed to proceed ahead under Part E of the DIAC Rules and proceedings be conducted by the DIAC today itself.



4. The application is disposed of.

DECEMBER 09, 2024

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SUBRAMONIUM PRASAD, J