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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P. (T) (COMM.) 5/2025
M.V. OMNI PROJECTS (INDIA) LTD.Petitioner

Through:

versus

UNION OF INDIA THROUGH DY CHIEF ENGG NORTHERN
RAILWAY & ANR.Respondent
Through: Mr. Ruchir Mishra, Mr. Sanjiv
Kumar Saxena, Mr. Mukesh Kumar
Tiwari, Ms. Poonam Shukla, Ms. Reba
Jena Mishra, Advs.

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+ O.M.P. (T) (COMM.) 6/2025
M.V. OMNI PROJECTS (INDIA) LTD.Petitioner

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Kumar Saxena, Mr. Mukesh Kumar
Tiwari, Ms. Poonam Shukla, Ms. Reba
Jena Mishra, Advs.

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+ O.M.P. (T) (COMM.) 7/2025
M.V. OMNI PROJECTS (INDIA) LTD.Petitioner

Through:



versus

UNION OF INDIA THROUGH DY CHIEF ENGG NORTHERN
RAILWAY & ANR.Respondents

Through: Mr. Ruchir Mishra, Mr. Sanjiv
Kumar Saxena, Mr. Mukesh Kumar
Tiwari, Ms. Poonam Shukla, Ms. Reba
Jena Mishra, Advs.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
22.05.2025

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1. The matter was listed for counsel for the parties to take instructions after passing of the judgment dated 15.05.2025.
2. Mr. Mishra, learned counsel, on instructions, states that the respondents would like to go strictly as per the arbitration clause. Hence, an Arbitral Tribunal of three members be appointed by this Court.
3. Learned counsel for the petitioner states that a Sole Arbitrator be appointed by this Court, however, he has no objection if the Arbitral Tribunal of three members is appointed by this Court.
4. In view of the above, this Court passes the following directions:-
 - i) Ms. Justice (Retd.) Mukta Gupta, Former Judge, High Court of Delhi (Mob. No. 9650788600) is appointed as a Presiding Arbitrator to adjudicate the disputes between the parties.
 - ii) Mr. S.C. Malik (Retd. Additional District and Sessions Judge, Delhi) (Mob. No. 9910384635) and Ms. Rashmi Chopra, Sr. Adv. (Mob. No. 9810311218) are appointed as Co-Arbitrators.



- iii) The arbitration will be held under the aegis and rules of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter, referred to as the 'DIAC').
 - iv) The remuneration of the learned Arbitrators shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.
 - v) The learned Arbitrators are requested to furnish a declaration in terms of Section 12 of Arbitration and Conciliation Act, 1996 prior to entering into the reference.
 - vi) It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claim, any other preliminary objection, as well as claims/counter-claims and merits of the dispute of either of the parties, are left open for adjudication by the Arbitral Tribunal.
 - vii) The parties shall approach the Arbitral Tribunal within two weeks from today.
5. The present petitions are disposed of in the aforesaid terms.

JASMEET SINGH, J

MAY 22, 2025/*pk*

Click here to check corrigendum, if any