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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 2/2023 & I.A. No. 59/2023**
GHAI CONSTRUCTION PVT LTD Petitioner

Through: Mr. Udit Seth, Ms. Priya Kanwat and
Mr. Vivek, Advs.

versus

INDIAN PORT RAIL AND ROPEWAY CORPORATION LTD.D
..... Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

% **ORDER**
05.01.2023

I.A.No. 60/2023 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

ARB.P. 2/2023 & I.A. No. 59/2023

1. The present petition has been filed by the petitioner seeking appointment of Sole Arbitrator to adjudicate the disputes between the parties that have arisen pursuant to an Agreement dated 03.01.2020 for the work of “Construction of 2 Lane ROB & approaches in lieu of L.C. No.104E/SPL3 at Km.97/6-7 between Cherukuwada & Undi Railway stations on Gudivada-Bhimavaram section at N.H. Km. 170+400 on Kathipudi - Pamarru road of NH 214 (New NH-165) in West Godavari district, in state



of Andhra Pradesh”.

2. The Arbitration Agreement is embodied in Clause 26.3 of the aforesaid agreement entered into between the parties.
3. Learned counsel for the petitioner has drawn attention to a communication dated 22.09.2022 issued by the petitioners to the respondents, whereby the petitioner sought an amicable resolution of the matter. It is submitted that despite attempts, no amicable resolution could be arrived at, pursuant to which, the arbitration notice dated 19.11.2022 was sent by the petitioner to the respondent. No response thereto is stated to have received from the respondent.
4. Issue notice to the respondent, on necessary steps being taken by the petitioner, through all permissible modes, including electronically. Dasti in addition.
5. Let reply be filed within a period of two weeks from today. Rejoinder thereto, if any, be filed within a period of two weeks thereafter.
6. List on 08.02.2023.

SACHIN DATTA, J

JANUARY 5, 2023/ssc