



Arb. Case No. 86 of 2010 with
Arb. Case No.87 of 2010

11.5.2017 Present :Mr. Ajeet Jaswal, Advocate, vice counsel for the objector/applicant in both cases.

Mr. J.S. Bhogal, Sr. Advocate with Mr. Parmod Negi, Advocate, for the respondent-claimant in both cases.

Failure report of learned Mediator has been received. Matter was referred to mediator for the second time on request of counsel for parties, but conciliation proceedings were frustrated for want of presence of responsible officer on behalf of objector, competent to negotiate the matter.

Before learned Mediator, it was agreed between parties that an officer, not less than rank of Superintending Engineer from the establishment of the objector/applicant will remain present on 07.04.2017.

From report of Ld. Mediator, it appears that Smt Anjori Kapoor, Superintending Engineer was deputed for negotiation on behalf of objector/applicant on 7.4.2017 before Mediator who had suffered fracture of ankle on 30th March, 2017 and was not capable to appear before learned Mediator and despite that no substitute of the same rank, authorized and competent to negotiate on behalf of objector was deputed.

In these circumstances, let CEO be present in person on 17.5.2017 to explain under what circumstances the person, who was on leave because of fracture, was supposed to remain present before the Mediator, so resulting into failure of



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conciliation for want of presence of competent officer on behalf
of objector.

**(Vivek Singh Thakur),
Judge**

May 11, 2017
(sks)



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