



O R D E R

Leave granted.

On hearing Mr. Sudhir Chandra, learned senior counsel for the appellant and Mr. P.P. Rao, learned senior counsel for respondent no. 1, we are satisfied that the following order shall meet the ends of justice:

1. Justice R.G. Vaidyanatha (Retired) shall act as an Arbitrator in place of Sri Justice M.P. Chinnappa, whose nomination had been held to be illegal in the impugned order.
2. On re-constitution, the Arbitral Tribunal shall consider the applications made by the parties and the objections to such applications and dispose them of as early as possible, in accordance with law.

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Civil Appeal is disposed of as above with no orders as to costs.

.....J.  
(R.M. LODHA)

.....J.  
(ANIL R. DAVE)

New Delhi,  
NOVEMBER 8, 2012