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

+ O.M.P.(T) 2/2016

DHOOT DEVELOPERS PVT. LTD.(JV) M/S BENGAL
SILVER SPRING PROJECT LTD. Petitioner

Through: Mr S.K. Maniktala, Mr Vinod Kumar
and Mr Swetab Kumar, Advocates.

versus

THE UNION OF INDIA & ANR. Respondents

Through: Mr Ruchir Mishra and Mr Mukesh
Kumar Tiwari, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **16.12.2016**

1. The petitioner has filed the present petition under Section 14(2) of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act') praying that the mandate of the respondent no.2 as the sole arbitrator be terminated.
2. On 09.12.2016, the learned counsel for the respondent had stated that he would take instructions whether an independent person can be appointed as an arbitrator in place of the present arbitrator. The learned counsel for the respondent now states on instructions of Mr Mahesh Kumar, Director (Contracts) - who is present in court -that an independent person would be appointed in conformity with the provisions of the Arbitration and Conciliation Act, 1996 as amended by Arbitration and Conciliation (Amendment) Act, 2015. In other words, the provisions of Schedule V and Schedule VII to the Act would be duly taken into account while appointing

an independent arbitrator. The learned counsel further states that the arbitrator would be appointed within a period of three weeks from today.

3. The respondent is bound down to the above statement.

4. In view of the above, the present petition does not survive and is, accordingly, disposed of.

5. It is clarified that the arbitrator so appointed shall continue the proceedings from the stage as before the present arbitrator.

6. *Dasti.*

VIBHU BAKHRU, J

**DECEMBER 16, 2016
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