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

+ O.M.P. (T) (COMM.) 36/2016

AVTAR SINGH CHADHA Petitioner
Through Ms.Monica Sharma, Adv.

versus

NORTH MUNICIPAL CORPORATION OF DELHI

..... Respondent
Through Ms.Supreet Bimbora, Adv. for
Mr.Sunil Goel, Adv.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

% **24.08.2016**

The petitioner has filed the power of attorney executed of Mr.Avtar Singh Chadha in favour of Mr.Gurpreet Singh Chadha. The same is taken on record.

The present petition has been filed on behalf of the petitioner under sections 14 and 15 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as "the Act") seeking termination of the mandate and substitution of the sole Arbitrator.

By order dated 3rd February, 2004 passed in A.A. No.80/2003 Mr.C.M. Vij, retired Engineer-in-Chief was appointed as the sole Arbitrator to adjudicate upon and decide the disputes between the parties.

It is stated in the petition that the learned Arbitrator conducted the proceedings on 29th February, 2016. The case was at the final stage. The parties had also submitted their written arguments. Unfortunately, the

learned Arbitrator had passed away on 22nd April, 2016. Therefore, the present petition has been filed for appointment of the substitute sole Arbitrator on the same terms and conditions already passed pertaining to the earlier sole Arbitrator. .

Learned counsel for the respondent states that it would be appropriate that any expert be appointed by the Delhi International Arbitration Centre ('DAC') for which the learned counsel for the petitioner has no objection.

As agreed, the matter is referred to the Delhi International Arbitration Centre ('DAC') who will appoint an expert as substitute sole Arbitrator to adjudicate the disputes between the parties in place of late Mr.C.M. Vij. Parties to appear before the Centre on 15th September, 2016 at 4:00 pm.

Both parties agree that the sole Arbitrator would continue the proceedings at the stage left by the earlier sole Arbitrator. The terms and conditions would remain the same. Ordered accordingly.

The petition is accordingly disposed of.

Copy of this order be given *dasti* to the learned counsel for the parties and a copy thereof be delivered to the Additional Coordinator, DAC forthwith.

MANMOHAN SINGH, J.

AUGUST 24, 2016/jk