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

+ O.M.P. (T) (COMM.) 5/2017

ADEL LANDMARKS LTD. Petitioner
Through: Mr. Nilava Bandyopadhyay, Advocate.

versus

DHANROOP MAL MEHTA Respondent
Through: Mr. Abhishek Sharma, Advocate.

CORAM: JUSTICE S.MURALIDHAR

% **ORDER**
23.01.2017

IA No. 881/2017 (Exemption)

1. Allowed, subject to just exceptions.

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2. This petition under Section 15(2) of the Arbitration & Conciliation Act, 1996 for appointment of an Arbitrator in place of Mr. Justice Arun B. Saharya, former Chief Justice, Punjab & Haryana High Court, who has withdrawn from the Office of the Arbitrator and sent a letter dated 10th June, 2014 to the said effect.

3. Notice. Mr. Abhishek Sharma, Advocate accepts notice on behalf of the Respondent.

4. Although the counsel for the Respondent disputes the assertion by the

Petitioner that the parties tried to amicably settle their disputes after the above event, it is not in dispute that the Respondent also has a counter-claim and that the arbitration has progressed up to the stage of final arguments.

5. In that view of the matter, the Court appoints Mr. Justice C.K. Mahajan, former Judge of this Court (Mobile No.9818000240), as the Arbitrator in place of Mr. Justice A.B. Saharya to adjudicate the disputes between the parties including the claims and counter claims. Mr. Justice Mahajan will fix his own terms.

6. The arbitration will proceed from the stage of final arguments by both the parties.

7. Learned parties will ascertain the present status of the arbitral record and unless it has already not been received in this Court, will collect the same from Justice Saharya's office within a week. The arbitral record be placed before Justice Mahajan within two weeks thereafter.

8. The parties will appear before Justice Mahajan on a mutually convenient date and time within six weeks thereafter.

9. The petition is disposed of.

S. MURALIDHAR, J.

JANUARY 23, 2017

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