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

+ **O.M.P. (T) (COMM.) 83/2016**

SURINDER KUMAR DEWAN Petitioner
Through Mr D.R. Bhatia, Advocate

versus

TEJ PAL SINGH Respondent
Through Mr B.K. Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **20.03.2017**

1. The petitioner has filed the present petition under Section 14 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, praying that an arbitrator be appointed in place of Justice S.K. Mahajan (Retired) who has since expired.

2. Mr Justice S.K. Mahajan (Retired) was appointed as an arbitrator to adjudicate the disputes between the parties by an order dated 29.07.2008 passed by this court. As Mr Justice S.K. Mahajan (Retired) has expired, an arbitrator is required to be appointed. Accordingly, Justice Sunita Gupta (Retired), a former judge of this court is appointed as an arbitrator to adjudicate the disputes between the parties. This is subject to the arbitrator making the necessary disclosure under section 12 of the Act and not being ineligible under section 12(5) of the Act.

3. It is stated that the pleadings are complete; parties had led their evidence; the final arguments had also been heard; and the award was reserved. In the circumstances, the arbitrator will continue proceedings from the stage of hearing final arguments.

4. At the request of the learned counsel for the parties, the arbitrator's fee is fixed at ₹ 1,50,000/- as it is stated that not more than two sittings would be required.

5. The petition is disposed of.

VIBHU BAKHRU, J

MARCH 20, 2017

pkv