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

+ ARB.P. 651/2017

BOMBAY CONTAINERS TERMINAL PVT. LTD..... Petitioner
Through Mr.Atul Y.Chitale, Sr.Adv. with
Ms.Tanvi Kakar and Mr.Gurjyot Sethi, Advs.

versus

CENTRAL WAREHOUSING CORPORATION Respondent
Through Mr.K.K.Tyagi Mr.Iftekhhar Ahmed
and Mr.Aoop Kumar, Advs.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **16.10.2017**

This petition is filed under section 8 of the Arbitration and Conciliation Act, 1940 seeking to appoint a Retired Judge of this Court as the Sole Arbitrator to adjudicate the disputes between the parties in relation to the Contract dated 31.5.1989. Pursuant to the disputes between the parties the respondent is said to have appointed Mr.B.K.Sharma as the Sole Arbitrator on 31.7.1995. The said Arbitrator passed an Award on 27.5.2004. The Award is said to have been challenged before this court. The learned Single Judge of this Court vide order dated 26.9.2012 disposed of the objections remitting back the issues 4,5, and 6 to arbitration for a fresh award and setting aside the issues No.1,3 and 7. This court appointed Mr.Justice Mohd.Shamim (Retd.) for adjudication of the disputes with reference to issues No.4,5 and 6. Pursuant to challenge before the Division Bench, by order dated 19.12.2013 the Division Bench directed the sole

Arbitrator to also consider issue Nos.1 and 7 alongwith issue Nos.4,5 and 6. Unfortunately, the learned arbitrator has expired and hence the present petition.

I have heard learned counsel for the parties. The learned counsel request for appointment of a fresh arbitrator. I accordingly appoint Ms.Justice Sunita Gupta (Retd.) (Mobile No.9910384628) as the Sole Arbitrator who will function under the aegis of the Delhi International Arbitration Centre. She will continue the proceedings from the stage at which it had reached before the previous learned Arbitrator.

Another prayer sought in the present petition is that the petitioner has changed its name from M/s. Bombay Container Private Limited to Gulita Wealth Advisors Private Limited. Change in the title is accordingly sought. Prayer is allowed. Fresh memo of parties be filed.

Petition is disposed of.

JAYANT NATH, J

OCTOBER 16, 2017

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