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

+ **O.M.P.(T) 1/2018 & IA No. 3362/2018**

LAVKUSH SHARMA

..... Petitioner

Through Ms Stuti Jain, Advocate.

versus

GOVT. OF NCT OF DELHI, THROUGH ITS CHIEF
ENGINEER

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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12.03.2018

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 the mandate of the Arbitrator Justice (Retd.) P.K. Bhasin be terminated and an arbitrator be appointed in his place to fill up the vacancy caused by such termination of mandate. It is stated that the learned Arbitrator had last held a hearing on 26.07.2016 and has not held any hearing thereafter. The learned counsel appearing for the parties state that the Arbitrator has informed the counsel that since he has been appointed as the Chairman of the Debt Recovery Appellate Tribunal (DRAT), he would be unable to act as an arbitrator.

2. In the circumstances, the mandate of Justice (Retd.) P.K. Bhasin is terminated. Mr. Neeraj Kumar Gupta, Retired. District & Sessions Judge, Delhi (Mobile No. 9910384632) 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. The arbitral proceedings shall continue from the stage as left by Justice (Retd.) P.K. Bhasin. The Arbitration shall be completed within a period of one year from today.

4. The Arbitrator shall fix his fees in consultation with the parties and having regard to Schedule IV of the Act.

2. The petition and the pending application are disposed of in the aforesaid terms.

VIBHU BAKHRU, J

MARCH 12, 2018

pkv