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

+ **O.M.P. (T) (COMM.) 32/2018**

BHOOP SINGH

..... Petitioner

Through Mr Arvind Chaudhary, Advocate.

versus

M/S ADEL LAND MARKS LTD

..... Respondent

Through Mr Vijay Kaundal, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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25.04.2018

IA No.5599/2018

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

O.M.P. (T) (COMM.) 32/2018

3. The petitioner has filed the present petition under Section 15 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, praying that an arbitrator be appointed to fill up the vacancy caused by the recusal of Sh Prem Kumar, ADJ (Retired) who was appointed as an arbitrator by an order dated 18.09.2017 passed by this Court in ARB. P. No. 321/2017 captioned *Bhoop Singh v. M/s Land Marks Ltd.*
4. This Court, with the consent of the parties, had appointed Sh Prem Kumar, a former Additional District & Sessions Judge of Delhi as the sole arbitrator to adjudicate the disputes between the parties. The learned counsel appearing for the parties state that Sh. Prem Kumar, has since refused to act

as an arbitrator and this was communicated to the parties by the Delhi International Arbitration Centre (DIAC). This has led the petitioner to file the present petition.

5. The learned counsel appearing for parties request that Mr Prashant Mehta, Advocate be appointed to act as an arbitrator in place of Sh Prem Kumar. It is stated that he is already acting as an arbitrator in another matter amongst the same parties.

6. In view of the above, the present petition is allowed and Sh Prashant Kumar, Advocate is appointed as the sole arbitrator to adjudicate the disputes between the parties in relation to the Buyer Agreement dated 24.09.2013. At the request of the learned counsel for the parties, the time for making the award is also extended for further period of twelve months from today.

7. The petition is disposed of in the above terms.

VIBHU BAKHRU, J

APRIL 25, 2018

pkv