

\$~13

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

+ O.M.P. (T) (COMM.) 41/2018

B.L KASHYAP & SONS LTD.

..... Petitioner

Through: Mr.H.S. Kohli, Mr.Harvinder Singh
and Mr.Dhruv Sharma, Advs.

versus

MIST AVENUE PVT LTD.

..... Respondent

Through: Mr.Sanchit Gauri, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

%

06.07.2018

This petition has been filed by the petitioner under Section 14 of the Arbitration and Conciliation Act, 1996 praying for appointment of a substitute Arbitrator as the earlier appointed Arbitrator has withdrawn from the proceedings on 27.04.2018.

Learned counsel for the respondent who enters appearance submits that the respondent has no objection if a substitute Arbitrator is appointed by this Court. He submits that in fact, the appointment can be left to the Delhi International Arbitration Centre (DIAC) under whose aegis the arbitrator is being conducted in terms of order dated 28.07.2017 passed by this Court in Arb. P. No.766/2016. This is agreeable to the learned counsel for the petitioner.

It is directed that the DIAC shall appoint a substitute Arbitrator to conduct the arbitration proceedings between the parties. The proceedings will be taken from the stage at which they were before the earlier Arbitrator.

The parties to appear before DIAC on 16th July, 2018 at 2:00 PM.

The petition is allowed with the above directions.

NAVIN CHAWLA, J

JULY 06, 2018/Arya