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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P. (T) (COMM.) 47/2018

CHAWLA TECHNO CONSTRUCTS LTD Petitioner
Through Mr.B.C. Pandey, Adv.

versus

TRICOLOR HOTELS LTD. Respondent
Through Mr.Diwankar Sethi, Adv. for
Mr.Gaurang Kanth, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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12.11.2018

1. This petition under Section 15 of the Arbitration and Conciliation Act, 1996 has been filed by the petitioner seeking appointment of a substitute Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the contracts dated 20.12.2004 regarding Plumbing and Sanitary and Electrification Work.
2. The disputes having arisen between the parties, the parties vide order dated 06.03.2009 passed by this Court in OMP No.24/2009 were referred to a Sole Arbitrator. The Arbitrator vide his order dated 27.07.2015 expressed his inability to proceed with the reference.
3. It is the case of the petitioner that thereafter the parties entered into talks for settlement because of which present petition seeking appointment of a substitute Arbitrator was filed with some delay.
4. Learned counsel for the respondent submits that the respondent has no objection if a substitute Arbitrator is appointed by this Court.

5. In view of the above, I appoint Mr.M.R. Sahni, Retired Additional and District Judge, Delhi (D-62, Basement, Gulmohar Park, New Delhi-110049, Mobile No.9312235138) as a substitute Arbitrator for adjudicating the disputes that have arisen between the parties in relation to the abovementioned Agreements.
6. The substitute Arbitrator shall proceed with the reference from the stage that it was before the earlier Arbitrator.
7. The parties may collect the Arbitral Record from the earlier Arbitrator. In case of any difficulty, the parties are free to file copies of the said record before the substitute Arbitrator.
8. The petition is allowed in the above terms with no order as to cost.

Dasti.

NOVEMBER 12, 2018/Arya

NAVIN CHAWLA, J