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

+ O.M.P. (T) (COMM.) 52/2017

M/S OMTECT BUILDERS P.LTD.

..... Petitioner

Through: Mr.R.Rajappan & Mr.Rajasree Ajay,
Advs.

versus

P.M.MISRA

..... Respondent

Through: Mr.Vaibhav Sharma & Mr.Prashant
Kumar, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **19.03.2018**

This petition under Section 14 and 15 of the Arbitration and Conciliation Act, 1996 has been filed by the petitioner praying for the termination of the mandate of the Arbitrator who had been named in the “Contract for Civil Works” dated 24.03.2012 executed between the parties as a Sole Arbitrator to adjudicate the disputes that may arise between the parties in relation to the said Contract. The petitioner further prays for appointment of a substitute Arbitrator.

The grievance of the petitioner is that the petitioner having invoked the Arbitration Agreement and having requested the named Arbitrator to proceed with the arbitration proceeding vide its notice dated 27.05.2015, the Arbitrator has refused to do until he receives a written request from both the parties.

Learned counsel for the parties, during the course making submissions, agreed that the named Arbitrator should proceed with the reference and adjudicate the disputes that have arisen between the parties.

I accordingly direct the named Arbitrator i.e. M/s R.N Gupta & Associates (the consultant), E-1, Sector -55, Noida, to enter upon the reference and proceed with the arbitration expeditiously.

The petition is disposed of with the above directions and with no order as to costs.

Dasti.

NAVIN CHAWLA, J

MARCH 19, 2018/rv