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

+ O.M.P. (T) (COMM.) 96/2018

BC INFRA PROJECTS PRIVATE LIMITED Petitioner
Through Mr. Abhishek Paruthi, Mr. Neeraj
Gupta and Mr. Sachin Kumar, Advs.

versus

KMC CONSTRUCTIONS LIMITED Respondent
Through Mrs. Biji Rajesh, Adv.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER
% **18.09.2018**

1. Issue notice. Mrs. Rajesh accepts notice on behalf of the respondent.
2. Learned counsel says that she does not wish to file a reply as she has no objection to the prayer made in the petition.
3. To be noted, this Court vide an order dated 1.5.2017, passed in ARB.P. 256/2017 had appointed a Presiding Arbitrator.
4. I am informed by counsel for the parties that the Presiding Arbitrator has withdrawn from the proceedings.
5. Accordingly, counsel for the parties jointly pray to allow for substitution of the Presiding Arbitrator with the assistance and intercession of the Delhi International Arbitration Centre (DIAC).
- 5.1. It is ordered accordingly.
- 5.2. The DIAC will appoint a person who has a background in the subject matter.

6. Needless to say, the rules and the fee schedule prescribed by the DIAC will govern the arbitration proceedings.
7. The Registry will dispatch a copy of the order to the coordinator, DIAC.
8. The DIAC will ensure that the appointment is made within two weeks of receipt of a copy of the order.
9. The petition is disposed of in the aforesaid terms.

RAJIV SHAKDHER, J

SEPTEMBER 18, 2018
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