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

+ O.M.P. (T) (COMM.) 70/2017

NEELAM GROVER AND ANR ..... Petitioners  
Through Mr.Amresh Anand and Ms.Sanskriti  
Jain, Advs.

versus

EARTH INFRASTRUCTURES LIMITED ..... Respondent  
Through Mr.Altin Shankar Rastogi, Adv.

**CORAM:**  
**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**  
% **23.01.2018**

This petition under Section 14 of the Arbitration & Conciliation Act, 1996 has been filed by the petitioner seeking termination of the mandate of the Sole Arbitrator Mr.Bhanu Kathpalia, Advocate appointed by the respondent for adjudicating the disputes that have arisen between the parties in relation to the MOU dated 04.06.2014 and for appointment of a substitute Arbitrator.

Learned counsel for the respondent, without prejudice to the rights and contentions of the respondent, submits that the respondent has no objection if the mandate of the Sole Arbitrator is terminated and the parties are directed to appear before Delhi International Arbitration Centre (DIAC), who may appoint a Sole Arbitrator to adjudicate the disputes between the parties. The said proposal is acceptable to the learned counsel for the petitioner.

In view of the above, parties are directed to appear before DIAC on 15<sup>th</sup> February, 2018 at 3.00 p.m. DIAC shall appoint the Sole Arbitrator for adjudicating the disputes between the parties.

The arbitration and the fee shall be governed by the rules of the DIAC. The arbitration shall start afresh before the Sole Arbitrator so appointed.

The petition is allowed with the above directions.

*Dasti.*

**NAVIN CHAWLA, J**

**JANUARY 23, 2018/Arya**