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

+ O.M.P. (T) (COMM.) 3/2018 & I.A. No.480/2018

KULWINDER SINGH SANDHU Petitioner
Through Ms.Manju Oberoi and Ms.Sumeet
Kaur, Advs.

versus

AKSHAY GOEL & ORS. Respondents
Through Mr.Siddharth Bhatli and Mr.Rakshith
Srivastava, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **18.05.2018**

This petition under Section 14 of the Arbitration and Conciliation Act, 1996 has been filed by the petitioner seeking termination of the mandate of respondent no.1 who had been appointed as a Sole Arbitrator to adjudicate the disputes that have arisen between the parties in relation to the Collaboration Agreement dated 28.06.2006, Supplementary Collaboration Agreement dated 10.09.2006 and the Agreement dated 05.04.2007. The obligations under the said Agreements have been transferred in favour of the respondent no.3 vide letter dated 02.02.2008.

As the disputes are only confined to the petitioner and the respondent no.3, counsels for the petitioner and the respondent no.3 submit that they have no objection if the mandate of the respondent no.1 to act as a Sole Arbitrator is terminated and a substitute Arbitrator is appointed for adjudicating the disputes that have arisen between the parties in relation to

the abovementioned Agreements. Learned counsels for the parties further submit that the parties may be referred to the Delhi International Arbitration Centre (DIAC) for appointment of an Arbitrator.

It is not in dispute that the respondent nos.2 and 4 are neither necessary nor proper party in the present petition or the disputes that are to be adjudicated through arbitration. They are accordingly deleted from the array of the parties.

In view of the submissions made, the mandate of respondent no.1 to act as an Arbitrator to adjudicate the disputes that have arisen between the parties is terminated.

The petitioner and the respondent no.3 are directed to appear before the DIAC on 25th May, 2018 at 3.00 p.m. The DIAC shall appoint a Sole Arbitrator for adjudicating the disputes between the parties. The arbitration proceedings and the fee shall be governed by the DIAC Rules.

The petition along with pending application is disposed of in the above terms, with no order as to cost.

Dasti.

NAVIN CHAWLA, J

MAY 18, 2018/Arya