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

+ O.M.P.(T) 8/2018

PRITI SARAF

..... Petitioner

Through: Mr.Anil Sapra, Sr. Adv. with
Mr.Shailendra Babbar, Ms.Manisha
Parmar, Ms.Akanksha Chaudhary &
Mr.Sarthak Katiyal, Advs.

versus

MEERA GOYAL

..... Respondent

Through: Mr.Abhishek Puri, Mr.Yasharth &
Ms.Surbhi Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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14.12.2018

IA No. 17208/2018 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(T) 8/2018

This petition has been filed under Section 15 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act') seeking appointment of a substitute Arbitrator.

The earlier Arbitrator appointed by this Court vide order dated 21.03.2018 passed in OMP (T) 2/2018 titled *Meera Goyal v. Preeti Saraf* tendered his resignation and recused himself from the arbitration proceedings vide order dated 19.11.2018.

The learned counsel for the respondent, who appears on advance notice submits that, without in any manner admitting the contents of the petition, the respondent has no objection if a substitute Arbitrator is appointed by this Court.

In view of the above, I appoint Hon'ble **Ms. Justice Indermeet Kaur**, Retired Judge of this Court (62, Lodhi Estate, New Delhi-110 003. Tel. No.: 011-21420264) as a substitute Arbitrator for adjudicating the disputes that have arisen between the parties.

The earlier arbitration proceedings were being conducted under the aegis of Delhi International Arbitration Centre (DIAC). The arbitration proceedings would therefore continue before the DIAC and shall be taken up from the stage that they were at before the earlier Arbitrator.

The substitute Arbitrator shall give disclosure under Section 12 of the Act before proceeding with the reference. The counsel for the respondent was fair enough to submit that the proposed Arbitrator is conducting two sets of arbitrations where the respondent is one of the parties. He submits that in both the cases, the appointment has been done by the Court in exercise of its powers under Section 11 of the Act. Counsel for the petitioner submits that the petitioner has no objection on the appointment of the nominee Arbitrator on this account.

The petition is allowed in the above terms, with no order as to cost.

Dasti.

NAVIN CHAWLA, J

DECEMBER 14, 2018/rv/RN