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

+ **O.M.P. (T) (COMM.) 7/2024 & I.A. 2544/2024**

VIRESH & ANR.

..... Petitioners

Through: Mr. Jagjit Singh, Advocate.

versus

SH. VIR PAL SINGH & ORS.

..... Respondents

Through: Mr. Nitish Chaudhary, Adv. for R-2
to 4 (M. 9810575121)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **02.02.2024**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner - Viresh and Anr., under Sections 14(2) and 15 (2) read with Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter, '*the Act*') for appointment of new presiding arbitrator.
3. Ld. Counsel appearing on behalf of the Respondent Nos. 2 to 4 submits that he has no objection if a substitute Arbitrator is appointed. Ld. Counsel for the Petitioner also prays for a substitute Arbitrator in place of Mr. G.P. Thareja.
4. A perusal of the list of dates would show that a three member arbitral tribunal had commenced the arbitral proceedings. The said arbitral consisted of Mr. G.P. Thareja, Mr. Ranvir Singh and Mr. Shankar Raju. Unfortunately, Mr. G.P. Thareja passed away on 27th September, 2023, hence the present petition has been filed.
5. Considering the nature of the disputes, **Mr. G.S. Sistani, Retd. Judge**



(9871300034) of this Court is appointed as the Presiding Arbitrator to adjudicate the disputes between the parties.

6. The proceedings are already at the stage of evidence. The fresh arbitral tribunal with the new Presiding Arbitrator shall continue from the same stage as was left by the previous Tribunal.

7. Though the fee of the Presiding Arbitrator has already been paid in full, since there has been a demise, the new Presiding Arbitrator shall be paid in terms of the fourth schedule again.

8. The Tribunal shall endeavour to conclude the proceedings within one year.

9. Petition is disposed of with all pending applications, if any.

PRATHIBA M. SINGH, J.

FEBRUARY 02, 2024

mr/bh