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

+ **O.M.P. (T) (COMM.) 36/2024**

SHRI RAVINDER SINGH & ANR. Petitioners
Through: Mr. S.C. Singhal, Adv.
versus

SHRI SHENOY ROBINSON Respondent
Through: Mr. J.K. Bhola, Adv.

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **16.05.2024**

1. This hearing has been done through hybrid mode.
2. The present petition is filed on behalf of the Petitioners-Mr. Ravinder Singh and Mr. Verinder Singh under Section 14 of the Arbitration and Conciliation Act, 1996 seeking appointment of a substitute Arbitrator in place of Mr. G.P. Thareja (Retd.), who has passed away in October, 2023.
3. The present petition arises out of a Collaboration Agreement dated 15th July, 2006 entered into between the Petitioners and the father of the Respondent- Late Mr. Nobel Robinson. It is stated that the Agreement was entered for development and reconstruction of the property bearing No.C-73, Inderpuri, New Delhi-110012. On 8th September, 2008 the Id. Arbitrator Mr. G.P. Thareja was appointed as the sole arbitrator to adjudicate the disputes. Further, on 28th October, 2017 the Id. Arbitrator directed the parties to file affidavits. However, no proceedings have taken place since then. The matter was then fixed for hearing on 30th October, 2023. However, before the said hearing could be held, unfortunately, the Id. Arbitrator passed away.



4. Mr. J.K. Bhola, Id. Counsel has entered appearance on behalf of the Respondent- Shri Shenoy Robinson. He submits that firstly, in the arbitration proceedings Ms. Archana Robinson was also a party and she has not been impleaded in the present petition. This position is denied by Id. Counsel for the Petitioner.

5. Be that as it may, he submits that without going into the merits of the matter, a substituted Arbitrator can be appointed. Accordingly, **Mr. Dinesh Dayal (Retd. ADJ) (M: 9810100200)** is appointed as the Sole Arbitrator to adjudicate the disputes between the parties.

6. Records from Mr. Thareja's office may be obtained by the Claimant and transferred to **Mr. Dinesh Dayal- Retd ADJ**. Considering that this is an old reference, the Id. Arbitrator would endeavour to conclude the proceedings by 31st March 2025.

7. The fee of the Id. Arbitrator is fixed as per the Fourth Schedule of the Act. Parties to appear before the Ld. Arbitrator on 27th May, 2024 at 4:00 p.m. at 9 Bela Road, Civil Lines, New Delhi-110054.

8. The present petition is disposed of. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

MAY 16, 2024/dk/bh