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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 1156/2023**
KALPATARU PROJECTS INTERNATIONAL LIMITED
FORMERLY KNOWN AS KALPATARU POWER
TRANSMISSION LIMITED AND SUCCESSOR OF JMC
PROJECTS INDIA LIMITED Petitioner
Through: Mr. Ayush Agrawal, Mr. Vikrant S.,
Mr. Sushant Tomar, Mr. Pranav
Saigal, Advs.

versus

TELECOMMUNICATIONS CONSULTANTS INDIA LIMITED
..... Respondent
Through: Mr. Deepak Khurana, Ms. Nishtha
Wadhwa, Advs.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH
ORDER
24.01.2024

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1. This is a petition seeking appointment of the Sole Arbitrator to adjudicate the disputes between the parties.
2. The parties jointly state that the Arbitrator appointed by this Court vide order dated 08.02.2023 has recused himself due to personal reasons and new arbitrator be appointed.
3. Hence, in view of the provisions of Section 15 of the Arbitration and Conciliation Act, 1996 and with the consent of the parties, a substitute arbitrator has to be appointed to adjudicate the disputes between the parties.
4. For the said reasons, the petition is allowed with the following directions:



- i) Mr. Gautam Narayan (Adv.) (Mob. No. 9811411735) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
- ii) The arbitration will be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi hereinafter, referred to as the 'DIAC'). The remuneration of the learned Arbitrator shall be in terms of the Fourth Schedule of the Arbitration & Conciliation Act, 1996.
- iii) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
- iv) It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claim, any other preliminary objection, as well as claims on merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.
- v) The parties shall approach the learned Arbitrator within two weeks from today.

JASMEET SINGH, J

JANUARY 24, 2024/DM

Click here to check corrigendum, if any