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

+ **O.M.P. (T) (COMM.) 85/2024**

MILLENNIUM AUTOMATION PRIVATE LIMITEDPetitioner

Through: Mr P.D.V. Srikar, Adv.

versus

HFCL LIMITED

.....Respondent

Through: Mr Zeeshan Hashmi and Mr Ankit Parashar, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

23.09.2024

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1. This is a petition filed under Section 15 of the Arbitration and Conciliation Act, 1996 seeking substitution of the Arbitrator.
2. My attention has been drawn to e-mail dated 15.07.2024 whereby the appointed arbitrator has recused himself from the arbitral proceedings on account of personal reasons.
3. Mr Hashmi, learned counsel appears on behalf of the respondent and has no objection to the petition being allowed. However, he states that before the substitute Sole Arbitrator commences the arbitral proceedings, the parties may be referred to Delhi High Court Mediation and Conciliation Centre to explore the possibility of an amicable settlement.
4. Mr Srikar, learned counsel for the petitioner has no objection to the said suggestion.
5. For the said reasons, the petition is allowed and the following directions are issued:-
 - i) Ms. Beenashaw Soni, Advocate (Mob. No. 9810046611) 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').
 - iii) The remuneration of the learned Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.
 - iv) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
 - v) 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/counter-claims and merits of the dispute of either of the parties, is left open for adjudication by the learned arbitrator.
 - vi) The Sole Arbitrator shall only enter the reference after 4 weeks from today in order to enable the parties to explore a possibility of settlement. The parties are referred to Delhi High Court Mediation and Conciliation Centre for the said purposes and shall appear before Delhi High Court Mediation and Conciliation Centre on 04.10.2024 at 03:30 p.m.
6. The present petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

SEPTEMBER 23, 2024

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