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

+ O.M.P.(I) (COMM.) 296/2024

IMMEDIATE CONSTRUCTION COMPANY PRIVATE LIMITED
.....Petitioner

Through:

versus

V S ANAND FOODS PROCESSING & ANR.Respondents
Through:

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
17.12.2024

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1. This matter has been placed on office note stating that the learned Sole Arbitrator appointed by this Court *vide* Order dated 20.11.2024 has expressed his inability to arbitrate on the disputes between the parties due to his indifferent health. It is, therefore, requested that the mandate of Mr. J. M. Sabharwal, Advocate, who was appointed as the Sole Arbitrator to adjudicate upon the disputes between the parties be terminated and some other person be appointed as the Arbitrator.
2. Consequently, the mandate of the learned Arbitrator appointed by this Court *vide* Order dated 20.11.2024 is terminated.
3. Mr. Pradeep Diwan, Advocate (Mobile No.9811018702) is appointed as a Sole Arbitrator to adjudicate upon the disputes between the parties.
4. The arbitration would take place under the aegis of the Delhi International Arbitration Centre (DIAC) and would abide by its rules and



regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

5. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the Arbitration & Conciliation Act, 1996 within a week of entering on reference.

6. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

7. Needless to say, nothing in this order shall be construed as an expression of this Court on the merits of the contentions of the parties.

8. The present petition stands disposed of in the above terms along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

DECEMBER 17, 2024

Rahul