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

+ **O.M.P. (T) (COMM.) 99/2024**

JAGTAR SINGH

.....Petitioner

Through: Mr. Arun Batta and Ms. Indira Marla,
Advocates.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Mr. Manu Chaturvedi, Standing
Counsel for MCD with Mr. Khwaja
Umair, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

19.12.2024

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1. This Petition under Section 14 & 15 of the Arbitration Act has been filed by the Petitioner seeking substitution of the sole Arbitrator appointed by this Court *vide* Order dated 12.01.2024, in ARB.P. No.987/2023.
2. Material on record indicates that this Court *vide* Order dated 12.01.2024 appointed Mr. Harish Dudani, Former District Judge, as the arbitrator to adjudicate on the disputes between the parties. The arbitration was to take place under the aegis of Delhi International Arbitration Centre (DIAC).
3. It is stated that on 21.08.2024, the learned Arbitrator recused himself from the matter and the parties have approached this Court for appointment of substitute Arbitrator.
4. Learned Counsel for the Respondent states that he does not have any



objection to the present Petition

5. Consequently, with the consent of learned Counsels for the Parties, the mandate of the learned Arbitrator appointed by this Court *vide* Order dated 12.01.2024 is terminated.

6. Ms. Barkha Gupta, Former District Judge (Mob No.9910384753) is appointed as a Sole Arbitrator to adjudicate upon the disputes between the parties.

7. 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.

8. 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.

9. 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.

10. 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.

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

SUBRAMONIUM PRASAD, J

DECEMBER 19, 2024

Rahul