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

+ **O.M.P. (T) (COMM.) 17/2025, I.A. 6561/2025**

M/S JAI BHAGWAN

.....Petitioner

Through: Ms.Harsh Chachra, Mr. Rajender
Kumar, Ms. Shulaka Singh,
Advocates

versus

**IRRIGATION AND FLOOD CONTROL DEPARTMENT GOVT.
OF NCT OF DELHI,**

.....Respondent

Through: Mr. Abhinav Sharma, Ms. Avsi
Malik, Advocate

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

24.03.2025

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1. Learned Counsel appearing on behalf of the Respondent states that there is a mistake in paragraph No.4 of the Order dated 12.11.2024 in ARB.P. 1462/2024 passed by this Court wherein it was mentioned that the disputes have arisen between the parties under the "Loan Agreement". However, in the foregoing paragraphs, it was mentioned that the disputes have arisen under "the work that has been awarded to the Petitioner".
2. In view of the above, the "Loan Agreement" as mentioned in paragraph No.4 of the Order dated 12.11.2024 be read as "the work that has been awarded to the Petitioner".
3. The Order dated 12.11.2024 is modified accordingly.

O.M.P. (T) (COMM.) 17/2025

1. This Petition under Section 14 read with Section 15 of the Arbitration



Act has been filed by the Petitioner seeking substitution of the sole Arbitrator appointed by this Court *vide* Order dated 12.11.2024, in ARB.P. 1462/2024.

2. Material on record indicates that this Court *vide* Order dated 12.11.2024 had appointed Mr. Anupam Srivastava, Ld. Senior Counsel, as the Arbitrator to adjudicate upon the disputes which have arisen between the parties. However, Mr. Anupam Srivastava, learned Senior Counsel express his inability to function as the Arbitrator on the ground that he was the Additional Standing Counsel at the relevant time.

3. Mr. Abhinav Sharma, learned Counsel appears on behalf of the Respondent on advance notice. He states that he has no objection for substitute Arbitrator being appointed.

4. Accordingly, Mr. Abhilash Mathur, Adv., (Mob No.9811041536) is appointed as the Sole Arbitrator to adjudicate upon the disputes between the parties.

5. The learned Arbitrator shall be entitled to fees as per the Fourth Schedule of the Arbitration & Conciliation Act, 1996.

6. 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.

7. 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.

8. 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.

9. The present petition stands disposed of in the above terms along with



pending application(s), if any.

SUBRAMONIUM PRASAD, J

MARCH 24, 2025

RJ