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

+ **O.M.P. (T) (COMM.) 45/2025**

BASU DEV ROUT SANITATIONPetitioner

Through: Mr. P.S. Sridhar Raj, Mr. Abhishek
Pandey and Ms. Sharmila Lenka, Advocates.

versus

CENTRAL PUBLIC WORKS DEPARTMENT & ANR.

.....Respondents

Through: Ms. Shubhra Parashar and Mr. V.P.S.
Charak, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **30.05.2025**

I.A. 14323/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

I.A. 14324/2025

3. This application is filed on behalf of the Petitioner seeking condonation of delay of 18 days in re-filing the petition.
4. Issue notice.
5. Ms. Shubhra Parashar, learned counsel accepts notice on behalf of the Respondents.
6. For the reasons stated in the application, the same is allowed condoning the delay of 18 days in re-filing the petition.
7. Application stands disposed of.



O.M.P. (T) (COMM.) 45/2025

8. This petition is filed on behalf of the Petitioner under Section 14(1) of the Arbitration and Conciliation Act, 1996 ('1996 Act') seeking substitution of the Arbitrator.

9. As set out in the petition, disputes arose between the parties pertaining to Letter of Acceptance dated 15.05.2023 in respect of work of construction of prefabricated detachable structure of porta cabin for multipurpose use in CBI Residential Colony in Vasant Vihar (Civil & Electrical Work) during 2023-24. Initially, Petitioner sought reference of the disputes to Dispute Resolution Committee, however, the disputes were referred to a Conciliator under Clause 25 F of GCC, but the disputes could not be resolved. In ARB.P. 193/2024 filed by the Petitioner for appointment of an Arbitrator, this Court vide order dated 27.01.2025 appointed the Sole Arbitrator with the consent of the parties.

10. Petitioner avers that the Sole Arbitrator appointed by this Court resigned on 06.02.2025 and has withdrawn from the arbitral proceedings and in this backdrop seeks appointment of a substitute Arbitrator.

11. Issue notice.

12. Ms. Shubhra Parashara, learned counsel accepts notice on behalf of the Respondents and on instructions, submits that Respondents have no objection to the substitute Arbitrator being appointed.

13. Accordingly, with the consent of the parties, learned Coordinator, Delhi International Arbitration Centre ('DIAC') is requested to take requisite steps towards appointment of a Sole Arbitrator to adjudicate the disputes between the parties. Arbitral proceedings will be held under the



aegis of DIAC and as per its Rules. Fee of the Arbitrator shall be as per fee schedule of DIAC (Administrative Cost & Arbitrators' Fees) Rules 2018.

14. Learned Arbitrator shall give disclosure under Section 12 of the 1996 Act before entering upon reference.

15. It is made clear that this Court has not expressed any opinion on the merits of the case and all rights and contentions of the respective parties are left open.

16. Petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

MAY 30, 2025/Shivam