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

+ **O.M.P. (T) (COMM.) 88/2025**

STERIMAX INDIA PVT LTD

.....Petitioner

Through: Mr. Vaibhav Gaggar, Senior Advocate
with Ms. Shraddha Achilya, Mr. Utsav
Trivedi, Ms. Manini Roy, Ms. Nandini
Acharya, Mr. Anudatt Dubey,
Mr. Shanmukh Purank and
Mr. Abhishek Nair, Advocates.

versus

**PUERTO LIFE SCIENCES PVT
LTD & ANR.**

.....Respondents

Through: Mr. Preetam Singh, Advocate for R-1
Mr. Amit Agrawal, Mr. Rahur
Kukreja and Mr. Rishabh Warriar,
Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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28.10.2025

1. The present petition has been filed under Sections 14 and 15 of the Arbitration and Conciliation Act, 1996 (hereinafter 'Act') seeking appointment of a substitute Arbitrator in place of the Sole Arbitrator that was appointed by this Court *vide* order dated 18th December, 2024, in a Section 11 petition, being ARB.P. 1297/2024, filed on behalf of the respondent no.1. To be noted the Sole Arbitrator appointed by this Court was a Former Judge of the Bombay High Court.

2. Since the Sole Arbitrator appointed by this Court in terms of the

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aforesaid order recused from proceeding with the arbitration proceedings, the respondent no.2/Mumbai Centre for International Arbitration (MCIA) appointed a substitute arbitrator on 9th April 2025, who is an Advocate.

3. Counsel for the parties have been heard briefly.

4. Taking into account the nature of the dispute, both counsel, on instruction, seek appointment of a retired Judge of High Court to be appointed as Sole Arbitrator to adjudicate the disputes arising between the parties. Counsel emphasise that a similar request was also made to the respondent no.2/MCIA.

5. In these circumstances, it has been put to the counsel appearing for respondent no.2/MCIA, if the MCIA would be agreeable to appoint a retired Judge of a High Court from its panel as a Sole Arbitrator in the present case.

6. In the peculiar facts and circumstances of the case, the counsel appearing on behalf of the respondent no.2 submits that MCIA would have no objection to appoint a Former Judge of a High Court as Sole Arbitrator to adjudicate the disputes between the parties.

7. MCIA is requested to appoint the Sole Arbitrator in an expeditious manner.

8. The proceedings shall continue from the stage where it was, before the current Arbitrator, *i.e.* Mr. Rahul Narayan.

9. The petition, along with pending applications, stands disposed of.

10. Needless to say, no observations have been made on the merits of the case.

AMIT BANSAL, J

OCTOBER 28, 2025

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