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

+ **O.M.P. (T) (COMM.) 91/2025**

DILSHAD KHAN

.....Petitioner

Through: Mr. Divy Pratap Sharma and Mr.
Shashi Shekhar, Advocates.

versus

GNCT OF DELHI

.....Respondent

Through: Mr. Tushar Sannu and Mr. Vishal,
Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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12.09.2025

I.A. 22624/2025

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

O.M.P. (T) (COMM.) 91/2025

3. This petition is filed on behalf of the Petitioner under Sections 14(1)(b) and 15(1)(a) of Arbitration and Conciliation Act, 1996 ('1996 Act') seeking appointment of a substitute Arbitrator.
4. Disputes have arisen between the parties with respect to Work Order for comprehensive maintenance of civil works relating to maintenance, annual repair, special repair etc., of Deep Chand Bandhu Hospital, Ashok Vihar, Phase IV, New Delhi, Petitioner filed a petition in this Court under Section 9 of 1996 Act being O.M.P.(I)(COMM.) 68/2024 seeking interim reliefs. With the consent of the parties, Court appointed the Sole Arbitrator as also directed the Respondent not to take coercive action for one month or



till an application is filed before the Arbitrator, whichever was earlier.

5. It is stated in the petition that the learned Arbitrator has, however, recused vide order dated 29.04.2025 for the reasons mentioned in the order after framing of issues on 28.01.2025. In these circumstances, appointment of the substitute Arbitrator is sought.

6. Issue notice.

7. Mr. Tushar Sannu, learned counsel accepts notice on behalf of the Respondent and on written instructions, copy of which is handed over during the course of hearing and taken on record, submits that Respondent has no objection to the appointment of a substitute Arbitrator.

8. Accordingly, with the consent of the parties, Mr. Justice Vineet Saran, former Judge of the Supreme Court Judge (Mobile No. 9937233336) is appointed as the substitute Arbitrator. As agreed earlier, fee of the learned Arbitrator shall be fixed as per Fourth Schedule of 1996 Act. Learned Arbitrator shall resume the proceedings from the stage they were at, when the earlier Arbitrator recused.

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

10. 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.

11. Petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

SEPTEMBER 12, 2025

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