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

+ O.M.P. (T) (COMM.) 95/2025 & I.A. 23536/2025

NATIONAL HIGHWAYS AUTHORITY OF INDIA

.....Petitioner

Through: Ms. Madhu Sweta and Mr. Yash
Kapoor, Advocates.

versus

SUDHIR KUMAR GUPTA PARTNER OF MS TRILOK
CHAND GUPTA AND COMPANY

.....Respondents

Through: Mr. Deepak Somani, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **19.09.2025**

I.A. 23536/2025 (seeking exemption from filing dim/illegible/ typed copies of the documents)

1. Allowed, subject to the petitioner filing legible/typed copies of documents within four (4) weeks from today.
2. The application stands disposed of.

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3. The present petition has been filed under Section 14 of the Arbitration and Conciliation Act, 1996 (hereinafter 'Act') for terminating the mandate of the Sole Arbitrator appointed by this Court *vide* order dated 6th May, 2025 in a petition filed on behalf of the respondents under Section 11(6) of the Act.
4. Ms. Madhu Sweta, counsel appearing on behalf of the petitioner submits that the Sole Arbitrator appointed by the Court is currently holding



the post of the President of the Delhi State Consumer Redressal Commissioner (DSCRC).

5. It is submitted that in terms of Rule 11 (3) of the Notification dated 15th July, 2020, issued by the Department of Consumer Affairs under the proviso to sub-section (1) to Section 102, Consumer Protection Act, 2019, the President or Member of State Consumer Redressal Forum cannot undertake any Arbitration assignment while functioning in the said capacity. The relevant extracts from the notification are set out below:-

“11. Other conditions of service.–

(1)..

(2)..

(3) The President or member shall not undertake any arbitration work while functioning in these capacities in the State Commission or the District Commission, as the case may be.

6. A representation in this regard was issued by the petitioner to the respondents as well as the Delhi International Arbitration Centre (DIAC) on 17th July, 2025. However, no response has been received thereto.

7. Counsel appearing on behalf of the respondents submits that he has no objection if the relief sought in the present petition is granted.

8. In light of the aforesaid Notification, the learned Sole Arbitrator has become *de jure* ineligible to act as an Arbitrator under Section 14(1) of the Act.

9. Accordingly, the petition is allowed and the mandate of the learned Sole Arbitrator is terminated.

AMIT BANSAL, J

SEPTEMBER 19, 2025

Vivek/-