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

+ O.M.P. (T) (COMM.) 111/2024 and I.A. 43147/2024

MINISTRY OF ROAD, TRANSPORT AND HIGHWAYS
THROUGH ITS CHIEF ENGINEER (NH ROADS AND BRIDGES),
PWD GOAPetitioner

Through: Mr. A.P.Singh, Mr. Naman Saraswat,
Ms. Shrinkhla Tiwari and Mr. Vikas Soni,
Advocates

versus

NG-TARMAT JVRespondent

Through: Mr. Chinmoy Pradip Sharma, Senior
Advocate with Mr. Mohit Paul, Ms. Rangoli Seth,
Mr. Krishnajyoti Deka, Mr. Irfan Hasieb, Ms.
Sanjleena Lal and Mr. Vijay Deora, Advocates

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
27.03.2025

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1. This petition is filed by the Petitioner under Section 14 of the Arbitration and Conciliation Act, 1996 ('1996 Act'), seeking termination of the mandate of Sh. Verinder Kaul, Additional DG (Retd.), Ministry of Road, Transport and Highways as learned sole Arbitrator nominated by the Respondent on the ground of his ineligibility to function as one of the Arbitrators constituting the Arbitral Tribunal.
2. The need to enter into and adjudicate the specifics and merits of this application is obviated by the fair stand adopted by the Respondent on whose behalf and instructions, Mr. Chinmoy Pradip Sharma, learned Senior counsel submits that Respondent has no objection to termination of the



mandate of Sh. Verinder Kaul and a substitute Arbitrator being appointed by this Court as Respondent's nominee. In fact, it is candidly proposed that Sh. S.B. Tamsekar, PWD Secretary (Retired), Government of Maharashtra can be appointed by this Court instead of Sh. Kaul.

3. Mr. A.P. Singh, learned counsel for the Petitioner has no objection to the proposal, subject to the disclosure made by Sh. S.B. Tamsekar under Section 12 of the 1996 Act.

4. Accordingly, Sh. S.B. Tamsekar is appointed as the substitute Arbitrator in place of Sh. Verinder Kaul. The Arbitral Tribunal will resume the proceedings from the stage at which the proceedings are currently pending.

5. Sh. S.B. Tamsekar will furnish a disclosure under Section 12 of the 1996 Act before proceeding further. Right of the Petitioner to take recourse to legal remedies in case of any grievance post the disclosure by substitute Arbitrator is preserved.

6. Petition is accordingly disposed of along with pending application.

JYOTI SINGH, J

MARCH 27, 2025/KA/shivam