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

+ O.M.P. (T) (COMM.) 112/2025

ORIENT ELECTRIC LIMITED

....Petitioner

Through: Mr. Pranav Chadha, Adv.
versus

VARDHAMAN APPLIANCES LIMITED

.....Respondent

Through: Ms. Latika Bajaj, Mr. Achal Mittal,
Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **08.12.2025**

1. This is a petition filed under Section 15(2) read with Section 14 of the Arbitration and Conciliation Act, 1996 ("**1996 Act**") seeking appointment of substitute Sole Arbitrator in arbitration proceedings bearing Case No. DIAC/11317/08-25.
2. The learned Arbitrator was appointed by this Court in ARB.P. 904/2025. Subsequently, the learned Arbitrator entered reference and on the first hearing disclosed that she had been a school classmate of the petitioner company's President over twenty years ago. The respondent initially consented but thereafter sought the learned Arbitrator recusal, citing potential apprehension of bias.
3. Consequently, the learned Arbitrator *vide* email dated 15.09.2025 recused herself from the arbitral proceedings and informed the Delhi International Arbitration Centre (DIAC) accordingly. The Delhi International Arbitration Centre (DIAC) informed the parties that they were free to seek remedies before a competent forum.



4. The petitioner then requested Delhi International Arbitration Centre (DIAC) to appoint a substitute Arbitrator. However, the Delhi International Arbitration Centre (DIAC) informed the parties that since there is no Chairperson on the Board of Delhi International Arbitration Centre (DIAC), the parties were at liberty to avail appropriate legal remedy before the competent forum in accordance with law.

5. Hence, the present petition.

6. Even though, I am of the view that the disclosure made by the Arbitrator does not fall within the Fifth or Seventh Schedule of the 1996 Act, however, in order of complete transparency and in view of the recusal by the Arbitrator, the present petition is allowed and following directions are issued:

- i. Mr. Abhikalp Pratap Singh (Advocate) (Mob. No. 9999770795) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
- ii. The arbitration will be held under the aegis and rules of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter, referred to as the 'DIAC').
- iii. The remuneration of the learned Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.
- iv. The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the 1996 Act prior to entering into the reference.
- v. It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claim, any other preliminary objection, as well as claims/counter-claims and



merits of the dispute of either of the parties, are left open for adjudication by the learned Arbitrator.

- vi. The parties shall approach the learned Arbitrator within two weeks from today.
7. The arbitration proceedings will start *de novo*.
8. The present petition is disposed of in the aforesaid terms.