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

+ O.M.P. (T) (COMM.) 114/2025

M/S AMJAY MEDIMAX INDIA PVT. LTD. THROUGH ITS

DIRECTOR MR ASIT JAIN

.....Petitioner

Through: Mr Sahil Chopra, Mr. Yash Tewari,
Advs.

versus

ESCORTS HEART AND SUPER SPECIALITY HOSPITAL

LIMITED

.....Respondent

Through: Ms. Aanchal Basur, Mr. Abhay
Kumar, Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

01.12.2025

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1. This is a petition filed under Sections 14 and 15 of the Arbitration and Conciliation Act, 1996 seeking substitution of the Arbitrator as the learned Arbitrator has recused himself.
2. Ms. Basur, learned counsel appears for the respondent and states that there is no objection to the present petition being allowed. She also states that the reply has been filed.
3. For the said reasons, it is directed that the mandate of the learned Arbitrator stands terminated and the following directions are issued:-
 - i) Mr. Harkirat Sawhney, Advocate (Mob. No.9810000381) 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 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.
- 4. The Arbitrator so appointed shall proceed from the stage where the earlier Arbitrator left the proceedings.
 - 5. The fee of the learned Arbitrator shall be paid accordingly.
 - 6. All other terms and conditions of the Order dated 13.12.2024 passed in ARB.P. 1454/2024 shall remain unchanged.
 - 7. The present petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

DECEMBER 1, 2025 / (MS)