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

+ **O.M.P. (T) (COMM.) 26/2026**

OM PRAKASH GUPTA

.....Petitioner

Through: Mr. Rohan Taneja and Mr. Animesh
Dubey, Advs

versus

NBCC INDIA LIMITED

.....Respondent

Through: Mr. Kartik Nagarkatti, Advocate

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **18.03.2026**

I.As. 7009-10/2026 (Exemption)

Allowed, subject to all just exceptions.

O.M.P. (T) (COMM.) 26/2026

1. This is a petition under Section 15(2) of the Arbitration & Conciliation Act, 1996 for appointment of a substitute Arbitrator.
2. The facts of the case reveal that the Petitioner was entrusted with the work of construction of Township Civil Works, NTPC BARH for External Electrification Work including LT Overhead line and Supply of Transformer for Construction of Township for NTPC Barh Package-‘D’ STPP (3x660MW).
3. Disputes arose between the parties since the Respondents failed to comply with their obligations under the agreement. It is stated that a Notice under Section 21 of the Arbitration & Conciliation Act, 1996 was issued on



11.12.2024 and this Court *vide* Order dated 17.12.2025 in ARB.P. 450/2025 after considering the objections of the Respondent, appointed Mr. Ashwani Kumar, learned Senior Advocate, as the Sole Arbitrator.

4. The arbitration proceedings commenced before the learned Arbitrator. It is stated that the learned Arbitrator has written an email on 24.02.2026, recusing himself from the arbitration proceedings.

5. It is pertinent to mention that the Order dated 17.12.2025 was subject matter of a review petition being REVIEW PET. 71/2026 which was dismissed by this Court *vide* Order dated 11.02.2026.

6. Since the Arbitrator has recused himself from the arbitration proceedings, this Court is inclined to appoint a substitute Arbitrator to adjudicate the disputes between the parties.

7. Accordingly, Mr. Raju Ramchandran, Senior Advocate, (Mob: 9810020498) is appointed as the Sole Arbitrator to adjudicate upon the disputes between the parties.

8. The arbitration would take place under the aegis of the Delhi International Arbitration Centre (DIAC) and would abide by its rules and regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

9. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the Arbitration & Conciliation Act, 1996 within two weeks of entering into reference.

10. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

11. It is open for the Respondent to raise all contentions including the



issue of arbitrability before the learned Sole Arbitrator.

12. Needless to say, nothing in this order shall be construed as an expression of this Court on the merits of the contentions of the parties.

13. It is for the learned Sole Arbitrator whether to initiate proceedings afresh or continue with the earlier proceedings.

14. The petition is disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

MARCH 18, 2026

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