



\$~79

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

+ O.M.P. (T) (COMM.) 31/2026 & I.A. 8355/2026

BCC DEVELOPERS AND PROMOTERS PVT LTDPetitioner

Through: Mr. Rahul Malhotra, Mr. Chirag Goyal, Mr. Ativ Gupta & Ms. Manika Mudgal, Advs.

versus

UNION OF INDIARespondent

Through: Mr. Rakesh Kumar, SPC with Mr. Sunil, Adv. & Mr. Sambhavi Sharma, GP

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

% **06.04.2026**

1. This petition is filed under Section 15(2) of the Arbitration and Conciliation Act, 1996 for substitution of the arbitrator.
2. The brief facts are that the petitioner was awarded a contract for construction of office building. The letter of acceptance dated 20.12.2018, the contract was for a total sum of Rs.37.25 crores and the work was to commence from 10.01.2019. Clause 25 of GCC provided for dispute resolution through arbitration. There was dispute between the parties and the arbitration was invoked by the petitioner.
3. The application filed under Section 11(6) of the Act was disposed of vide order dated 26.11.2025. The arbitrator during the proceedings recused and hence the present petition.



4. Learned counsel for the respondent on instructions has no objection for substitution of the arbitrator and learned counsel for the parties on specific instructions have agreed that Mr. Nand Lal Singh, Special Director General, CPWD (Retd.) (Mobile No: 9830121650) substitute the earlier arbitrator.
5. The petition is allowed.
6. Mr. Nand Lal Singh is appointed as the sole arbitrator and shall substitute the earlier arbitrator.
7. Arbitral proceedings will be held under the aegis of Delhi International Arbitration Centre (DIAC). Fee of the Arbitrator shall be fixed as per fee schedule.
8. Before entering upon reference, the learned Arbitrator will comply with Section 12 of the Act.
9. It is made clear that since this Court has not expressed any opinion on the merits of the rival claims of the parties and it will be open for the parties to file their respective claims/counter claims before the learned Arbitrator which will be considered in accordance with law.
10. A copy of this order be forwarded to the learned Arbitrator for information.

AVNEESH JHINGAN, J

APRIL 6, 2026

'JK'