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

+ **O.M.P. (T) (COMM.) 44/2026**

PRAGATI CONSTRUCTION CONSULTANTSPetitioner

Through: **Mr. Udaibir Singh Kochar, Mr.
Pankaj Gupta, Ms. Samvartika
Pathak and Mr. Pushkar
Khanna, Advocates.**

versus

UNION OF INDIA

.....Respondent

Through: **Mr. Shaurya R. Rai, Senior
Panel Counsel and Mr. Anmol
Sharma, Government Pleader
for UoI.**

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

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20.04.2026

1. The present Petition has been filed under Section 14 read with Section 15 of the Arbitration and Conciliation Act, 1996, seeking termination of the mandate of the learned Sole Arbitrator appointed *vide* Order dated 20.05.2024 in ARB.P. 710/2024, and for appointment of a substitute Arbitrator.
2. Certain disputes *inter se* the parties had arisen out the Agreement dated 14.09.2020. The arbitration clause is envisaged at Clause 64 of the General Conditions of Contract, 2019, appended to the Agreement. In view thereof, the arbitration was invoked and the learned Sole Arbitrator came to be appointed.
3. It is submitted that despite the appointment of the learned Sole Arbitrator *vide* Order dated 20.05.2024, the learned Sole Arbitrator is yet to enter into the reference.



4. Parties would therefore jointly submit that there is a dire necessity for the appointment of a substitute arbitrator in the interest of justice.

5. In view of the above, this Court is of the view that since the learned Arbitrator has been unable to take up the present matter for almost two years since the order appointing him as an Arbitrator was passed, it would be necessary and expedient to appoint a substitute Arbitrator.

6. The total value of the underlying disputes is stated to be approximately Rs. 15 crores.

7. Accordingly, this Court requests **Hon'ble Mr. Justice (Retd.) G.S. Sistani, (Mobile No: 9871300034)** to enter upon the reference and adjudicate the disputes *inter se* the parties in substitution of the learned Sole Arbitrator appointed *vide* Order dated 20.05.2024.

8. The present Petition, along with all pending application(s), if any, stands disposed of in the aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J.
APRIL 20, 2026/tk/va