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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P. (T) (COMM.) 36/2025

M/S CYBER MEDIA RESEARCH AND SERVICES

LTD

.....Petitioner

Through: Mr. Ankit Kumar, Adv.

versus

CURRIMBHOY MILLS PVT LTD AND ANR.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

02.02.2026

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1. The present petition has been filed by the petitioner under Section 14 and 15 of the Arbitration and Conciliation Act, 1986 (in short 'the Act') seeking to substitute the sole arbitrator.
2. Mr. Ankit Kumar, the learned counsel appearing on behalf of the petitioner submits that the notice in the present petition was issued by this Court *vide* order dated 11.09.2025.
3. He submits that the respondents have been served with a notice sent through courier. In support of his contention, he invites attention of the Court to Annexure A-13 (pages 11-13 of the paper book), which shows the article sent to the addressee was delivered.
4. In that view of the matter, the respondent is taken to have been served. Nonetheless, there is no representation on behalf of the respondent.



5. Mr. Kumar submits that this court *vide* order dated 29.02.2024 passed in a petition under Section 11(6) of the Act i.e. ARB. P. 6/2024 appointed a sole arbitrator to enter upon the reference.
6. He submits that learned Arbitrator had conducted three hearings, however, on the third hearing held on 20.08.2024, the learned Arbitrator recused himself owing to his personal reasons.
7. He further invites attention of the court to the second arbitration proceedings dated 30.07.2024 to contend that the learned arbitrator had recorded in the said order that he has received e-mail from respondent no. 2, who is Chairman cum Managing Director of respondent no. 1, that he is facing health issue and wants to resolve the matter.
8. He further contends that insofar as, petitioner is concerned, it had already filed the statement of claim before the learned arbitrator.
9. In the above backdrop, he submits that since the learned Arbitrator has recused himself, therefore, a new Arbitrator may be substituted in his place.
10. In view of the above, the petition is allowed.
11. Accordingly, Mr. Tushar Mehra [Mobile no.9717471680] is appointed as Arbitrator. The arbitration will be held under the aegis of Delhi International Arbitration Centre, Delhi High Court, Shershah Road, New Delhi-110503 [in short, 'DIAC'], and will be governed by the Rules of DIAC, including as to the remuneration of the learned Arbitrator.
12. The learned Arbitrator is requested to furnish declaration under Section 12 of the Act, prior to entering upon the reference.
13. It is clarified that no observation has been made on merits of the case and all the contentions available to the parties are left open for adjudication



by the learned Arbitrator.

14. As the respondents have not entered appearance in their proceedings, it is made clear that the respondents must be served in accordance with the DIAC Rules, in the arbitration proceedings.

15. The petition is disposed of, in the aforesaid terms.

VIKAS MAHAJAN, J

FEBRUARY 2, 2026/jk