$~96

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

\# **CNR No. DLHC010524422026**

\+ O.M.P. (T) (COMM.) 113/2026 & I.A. 30147/2026

DR HARIT KUMAR CHATURVEDI .....Petitioner

Through: Mr. Ayush Agrawal and Mr. Vikrant S. Bloria, Advs.

versus

MAX HEALTHCARE INSTITUTE LIMITED

.....Respondent

Through: Adv. (appearance not given)

CORAM:
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

% 02.11.2026

1. The present petition has been filed under Section 15 of the Arbitration and Conciliation Act, 1996[1] seeking substitution appointment of a learned Sole Arbitrator.

2. It is borne out from the record that this Court *vide* order dated 22.09.2026 passed in ARB.P. 1493/2026, appointed Hon'ble Mr. Justice (Retd.) Sharad Arvind Bobde, former Chief Justice of India as the learned Sole Arbitrator to adjudicate the disputes between the parties. However, *vide* e-mail dated 14.10.2026, the learned Sole Arbitrator expressed his unavailability to act as an Arbitrator in this matter for personal reasons.

3. Issue notice. Learned Counsel for the Respondent accepts

[1] "Act" hereinafter

notice.

4. Learned Counsel for the Respondent submits that he has no objection to the substitution of the learned Sole Arbitrator.

5. Accordingly, in exercise of power under Section 15(2) of the Act, this Court appoints Hon'ble Mr. Justice, Kurian Joseph, (Retd.), Mob. No. 9999775444 as the substitute Sole Arbitrator to adjudicate the disputes between the parties.

6. The learned Sole Arbitrator shall enter upon reference within three weeks from today.

7. The learned Sole Arbitrator will proceed to the arbitration proceedings subject to furnishing requisite disclosures as required under Section 12(2) of the Act within three weeks of entering reference.

8. The arbitration shall be carried under the rules and aegis of Delhi International Arbitration Centre ("DIAC"). The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

9. It shall be open to the parties to raise all pleas, including objection as to arbitrability and jurisdiction, before the learned Sole Arbitrator who shall decide the same in accordance with law.

10. It is clarified that the observations made herein are only for the

purpose of deciding the present petition. The learned Sole Arbitrator shall adjudicate the disputes independently and on their own merits, uninfluenced by any observations contained in the present order.

11. The Registry is directed to send a receipt of this order to Mr. Kurian Joseph, learned Arbitrator through all permissible modes including email.

12. Accordingly, the present petition is disposed of in the above terms.

OM PRAKASH SHUKLA, J

NOVEMBER 2, 2026/pa