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

+ **O.M.P. (T) (COMM.) 104/2024 & I.A. 46784/2024 (Stay)**

GOVT. OF NCT OF DELHI

.....Petitioner

Through: Mr. Bharat Gupta, Mr. Ishan
Srivastava and Ms. Shagun
Gupta, Advocates.

versus

M/S ANIL KUMAR AHUJA

.....Respondent

Through: Mr. Ankur Mahindro, Mr.
Rohan Taneja, Mr. Raghav
Kalra and Ms. Radhika
Agrawal, Advocates.

CORAM:

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

ORDER

07.01.2026

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1. The present petition, filed under Sections 14 and 15 of the Arbitration and Conciliation Act, 1996, seeks substitution of the Learned Arbitrator, Mr. Satish Chandra, ADG (Retd.), CPWD who was appointed from the list of empanelled Arbitrators of CPWD vide Order dated 10.07.2024, passed by learned Single Judge of this Court in case being O.M.P. (I) (COMM) 221/2024, titled "*M/s. Anil Kumar Ahuja v. Govt. of NCT of Delhi & Anr.*".

2. After arguing for some time, learned counsel for the Respondent, on instructions, submits that he is amenable to the appointment of an Arbitrator empanelled with the Delhi International Arbitration Centre (DIAC), subject to satisfaction of the qualifications as required under Clause 25.2 (b) of the General Conditions of



Contract (GCC) of the agreement in question as between the parties.
Learned counsel for the Petitioner agrees to the said suggestion.

3. The qualification of the Arbitrator as mentioned in Clause 25.2
(b) of the GCC reads as under:-

“(b) Qualification of Arbitrators: It is a term of this contract that each member of the Arbitral Tribunal shall be Graduate Engineer with experience in execution of public works engineering contracts, and he should have worked earlier at a level not lower than the Chief Engineer (equivalent to level of Joint Secretary to the Government of India).

The aforesaid educational qualification and work experience shall be mandatory for appointment as Arbitrator.

The age of Arbitrator at the time of appointment shall not exceed 70 years. An Arbitrator may be appointed notwithstanding the total number of active arbitration cases with him.”

4. Hence, with the consent of learned counsel for the parties, the matter is referred to the Delhi International Arbitration Centre (DIAC) for the purpose of appointment of an Arbitrator who answers to the qualifications as set out in the agreement in question.

5. Accordingly, the present petition, along with pending applications, if any, stands disposed of in the aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J.
JANUARY 7, 2026/tk/her/jk