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

+ O.M.P. (T) (COMM.) 110/2025 & I.A. 27591/2025

M/S INTERCORP INDUSTRIES LTD.Petitioner

Through: Mr. Visheshwar Shrivastav, Adv.

versus

STATE OF ARUNACHAL PRADESH THROUGH ITS
SECRETARY POWER & ANR.Respondents

Through: Mr. Arunabh Chowdhury, Sr. Adv.
with Mr. Karma Dorjee, Adv.
(through VC)

CORAM:
HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER
18.03.2026

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1. The present petition is filed for substitution of the arbitrator.
2. The brief facts are that a dispute arose between the parties from an MOU dated 06.03.1993, the lease deeds dated 23.03.1994 and 01.08.1994 and the power purchase agreement dated 31.03.1994. The matter was referred to arbitration and this Court vide order dated 16.11.2004 appointed Mr. Justice Lokeshwar Prasad, retired Judge of this Court as the sole arbitrator. Unfortunately, during the pendency of the proceedings, the arbitrator expired and hence the present petition.
3. Learned counsel for the parties are ad idem that a retired judge of this Court be appointed as the arbitrator.
4. Accordingly, the petition is allowed by appointing Mr. Justice Rajiv



Sahai Endlaw, High Court Judge (Retd.) (Mobile No.: 9717495002), with the consent of the parties, as the sole arbitrator for adjudication of the disputes which have arisen between the parties.

5. The fees of the learned Arbitrator will be governed by Schedule IV of the Act. Before entering upon reference, the learned Arbitrator will comply with Section 12 of the Act.

6. It is made clear that since this Court has not expressed any opinion on the merits of the rival claims of the parties, 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.

7. A copy of this order be forwarded to the learned Arbitrator for information.

AVNEESH JHINGAN, J

MARCH 18, 2026

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