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

+ O.M.P. (T) (COMM.) 111/2025

M/S DHARAMVIR AND COMPANYPetitioner

Through: Mr. G.L. Verma, Advocate.

versus

DELHI DEVELOPMENT AUTHORITYRespondent

Through: Mr. Sanjay Vashishtha and Mr.
Siddhartha Goswami,
Advocates

CORAM:

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

ORDER

% **24.03.2026**

1. The present Petition, under Section 15 of the Arbitration and Conciliation Act, 1996 [**“Act”**], seeks appointment of a Substitute Arbitrator.
2. Learned counsel for the Petitioner draws the attention of this Court to the Order dated 19.09.2025 of the previously constituted Arbitral Tribunal, whereby the earlier learned Arbitrator has recused herself from the matter for the reasons stated therein. Learned counsel for the Petitioner also prays for the relief of adjustment/refund of the fee paid to the Delhi International Arbitration Centre [**“DIAC”**].
3. Learned counsel for the Respondent submits that he has no objection to the prayer, insofar as the appointment of a Substitute Arbitrator is concerned.
4. In view of the foregoing, and in the interest of justice, this Court is of the opinion that it shall be appropriate, at this stage, to appoint a



Substitute Arbitrator.

5. Accordingly, **Mr. R. V. Prabhat, Advocate (Mobile No. 8001622962)** is appointed as the Substitute Arbitrator to adjudicate the disputes between the parties. The arbitration will be held under the aegis of the DIAC.

6. The learned Sole Arbitrator may proceed with the arbitration proceedings, subject to furnishing to the parties the requisite disclosures as required under Section 12(2) of the Act within a week of entering the reference.

7. The learned Sole Arbitrator shall be entitled to fees in accordance with the law.

8. The parties shall share the learned sole Arbitrator's fee and arbitral costs equally.

9. All rights and contentions of the parties are kept open and shall be adjudicated by the learned Sole Arbitrator on their own merits, in accordance with law.

10. The Registry is directed to send a receipt of this order to the learned Arbitrator through all permissible modes, including through e-mail.

11. Further, with respect to the prayer for adjustment/refund of arbitration fees, this Court takes notice of the facts that the arbitral proceedings had already reached an advanced stage and the pleadings between the parties stood completed. It is further noted that the recusal of the learned Arbitrator occurred in the backdrop of persistent allegations levelled by the Petitioner.

12. In view of the aforesaid facts, this Court is of the opinion that no case is made out for grant of the relief with respect to adjustment or refund of fees paid to DIAC.

13. In the aforesaid terms, the present Petition, along with pending Application(s), if any, stands disposed of.

HARISH VAIDYANATHAN SHANKAR, J.
MARCH 24, 2026/rk/dj