

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	08.05.2026		<p>Recall Appln. (MCC No. 02 of 2026)  In  <b>ARBAP No. 63 of 2023</b>  <b>Bharat Construction India P Ltd. ---- applicant</b>  <b>Vs</b>  <b>National Highways &amp; Infrastructure Development Corpn. Ltd. &amp; anr ---- respondents</b></p> <p><b><u>Hon'ble Manoj Kumar Gupta, C.J.</u></b></p> <p>1. Mr. Vikas Bahuguna, learned counsel for the applicant / recall applicant through video conferencing.</p> <p>2. Mr. Raunak Pant, learned counsel holding brief of Mr. Naresh Pant, learned counsel for the respondents.</p> <p>3. In the present matter under Section 11 of the Arbitration and Conciliation Act, 1996 the dispute between the parties was referred for arbitration to Mr. Justice Vijender Jain, Retd. Chief Justice Punjab &amp; Haryana High Court vide order dated 16.02.2024. Thereafter a review application was filed by the respondents but which came to be rejected by order dated 17.05.2024. The applicant has filed Application (MCC No. 02 of 2026) with the prayer to appoint a substitute arbitrator as the arbitrator appointed by this Court, i.e. Mr. Justice Vijender Jain, had expired on 27.02.2026.</p> <p>4. Learned counsel for the respondents does not dispute the fact relating to death of the sole arbitrator. He, however, seeks time to file objections to the application. He further</p>

submits that in case a substitute arbitrator is appointed, the venue of arbitration be Delhi, to which counsel for the applicant, has no objection.

5. As only a substitute arbitrator is to be appointed in view of the admitted fact that the arbitrator appointed by this Court has expired, I find no good ground to grant further time to the respondents to file objections. Accordingly, the application (MCC No. 02 of 2026) is allowed.

6. Having regard to the aforesaid facts, the Court proposes name of Shri Justice Rajesh Bindal, Former Judge, Supreme Court of India, R/o 2 Akbar Road, New Delhi, E-mail: rajesh\_bindal@yahoo.com, Mobile No. 7347025001, as a substitute arbitrator to adjudicate the disputes and differences between the parties. Let his consent and necessary disclosures as contemplated under Section 11(8), be obtained by the Office within four weeks. Thereafter, matter be placed before the Court for further orders. The proceedings before the arbitrator shall continue from the stage at which they presently stand.

**(Manoj Kumar Gupta, C.J.)**

08.05.2026

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