



2026:DHC:7862



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

CNR No. DLHC010914772025

+ **O.M.P.(MISC.)(COMM.) 956/2025**

DALMIA FAMILY OFFICE TRUST & ANR.Petitioners

Through: Ms. Wamika Trehan, Ms.
Raddika Khanna Tandon and
Mr. Varun Chopra, Advs.

versus

ALMOND INFRABUILD PRIVATE LIMITED & ORS.

.....Respondent

Through: Mr. Krish Kalra, Adv. with Mr.
Getamber Anand.

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CNR No. DLHC010506182024

+ **O.M.P. (T) (COMM.) 79/2024**

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CORAM:

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

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08.09.2026

1. The present petitions arise out of nine arbitral proceedings pending between the parties.

2. O.M.P. (T) (COMM.) 79/2024 has been filed under Sections 14



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and 15 of the Arbitration and Conciliation Act, 1996¹ seeking substitution of the Sole Arbitrator, Hon'ble Mr. Justice G.S. Sistani (Retd.), who has withdrawn from the aforesaid nine arbitral proceedings.

3. Further, O.M.P.(MISC.)(COMM.) 956/2025 has been filed under Section 29A of the Act seeking extension of mandate in all the nine arbitral proceedings.

4. Since both the aforesaid petitions arise out of the same arbitral proceedings, they are being disposed of by this common order.

5. It may be noted that *vide* an order dated 08.01.2021, this Court had appointed Hon'ble Mr. Justice Swatanter Kumar (Retd.), Former Judge, Supreme Court as the Sole Arbitrator to adjudicate all the proceedings between the parties. The arbitral proceedings progressed substantially before the said learned Sole Arbitrator.

6. However, before the awards could be rendered, proceedings were initiated seeking substitution of the learned Arbitrator. Pursuant thereto, by order dated 14.05.2024, this Court appointed Hon'ble Mr. Justice G.S. Sistani (Retd.) as the substituted Sole Arbitrator for all nine references.

7. Upon entering reference, the learned Sole Arbitrator held a preliminary hearing and took stock of the stage of each of the arbitral proceedings, several of which had already reached the stage of final arguments. Thereafter, certain issues arose in relation to the arbitral

¹ "Act" hereinafter



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fees.

8. By order dated 01.07.2024, the learned Sole Arbitrator declined the Petitioner's proposed arbitral fee and cancelled all further dates of hearing. Thereafter, no further proceedings were conducted in the arbitral references. Subsequently, by e-mail dated 26.01.2025, Hon'ble Mr. Justice G.S. Sistani (Retd.) confirmed his withdrawal as the Sole Arbitrator from all the nine proceedings.

9. The matter as it stands today, Hon'ble Mr. Justice G.S. Sistani (Retd.) has to be substituted by another Sole Arbitrator and in the *interregnum* the mandate of the arbitral proceedings has already expired. Accordingly, the present petitions have been filed seeking substitution of a Sole Arbitrator and extension of mandate for completion of the arbitral proceedings.

10. It is borne out from the record that the arbitral proceedings have remained pending for a considerable period. Though the parties had exchanged proposals for an amicable settlement, no settlement has been arrived at till date and the proceedings have not progressed any further.

11. Learned Counsel appearing for the Respondents has also not been able to point out any objection on merits to the extension of the mandate of the arbitral proceedings or to the substitution of a Sole Arbitrator, Hon'ble Mr. Justice G.S. Sistani (Retd.).

12. It emerges from the record that the learned Sole Arbitrator,



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Hon'ble Mr. Justice G.S. Sistani (Retd.), has withdrawn from office and, therefore, no further proceedings could be conducted in the all the arbitral proceedings.

13. In these circumstances, this Court is of the view that substitution of learned Sole Arbitrator, Hon'ble Mr. Justice G.S. Sistani (Retd.) is necessary to ensure expeditious continuation and conclusion of the arbitral proceedings. There is no material before this Court to suggest that the substitution of Hon'ble Mr. Justice G.S. Sistani (Retd.) by a new Sole Arbitrator would cause any prejudice to either party.

14. Accordingly, this Court appoints Mr. Attau Rahman Masoodi, (Retd. Judge, Allahabad High Court) (Mob. No. 9918888857) as the substitute Sole Arbitrator, who shall proceed with all nine references within three weeks.

15. It is borne out from the record that, out of the nine arbitral proceedings, final arguments have already been heard in four references, while the remaining five references are at different stages.

16. In such circumstances, the learned Sole Arbitrator appointed by this Court shall commence those four references from the stage of hearing final arguments. In respect of the remaining five references, the proceedings shall continue from the respective stages at which they were left by the erstwhile Sole Arbitrator.

17. Further, the proceedings have remained pending and



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inconclusive primarily due to withdrawal of Arbitrator and therefore, this Court is also satisfied that sufficient cause exists for extension of the mandate under Section 29A of the Act.

18. Accordingly, the mandate in all nine arbitral proceedings is extended for a further period of one year from today. The period up to today shall also stand regularised.

19. The fees of the learned Arbitrator shall be determined mutually between the parties and the learned Arbitrator.

20. The Registry is directed to send a receipt of this order to Mr. Attau Rahman Masoodi, learned Arbitrator through all permissible modes including email.

21. The petitions are disposed of in the aforesaid terms.

OM PRAKASH SHUKLA, J

SEPTEMBER 8, 2026/gunn