

**I.A. No. 18 of 2019**

32. 29.11.2019 Heard learned counsel for the parties.

This application has been filed by the petitioner for substitution of the learned Arbitrator.

This Arbitration Petition was disposed of on 01.02.2019 and this Court, while disposing of the Arbitration Petition, appointed Hon'ble Mr. Justice Pradip Kumar Mohanty, former Chief Justice of Jharkhand High Court and a former Judge of this Court, as a sole arbitrator to adjudicate the disputes between the parties. However, after entering into the reference, by order dated 25.3.2019 the learned Arbitrator declined to conduct the Arbitration Proceeding consequent upon his assumption as Judicial Member of Lokpal. Hence this application has been filed for substitution.

In view of the aforesaid situation, a new Arbitrator is required to be appointed in this case. Accordingly, on the consent of the learned counsel for the parties, this Court appoints **Mr. Justice J.P. Das**, a former Judge of this Court as the sole Arbitrator to adjudicate the disputes and differences between the parties. The venue of the arbitration shall be at High Court of Orissa Arbitration & Mediation Centre, Cuttack. The learned Arbitrator shall hear all the objections

and cross objections of the parties and conclude the proceeding in accordance with law.

It is needless to say that the fees of the Arbitrators shall be as per the Fourth Schedule of the Arbitration and Conciliation (Amendment) Act, 2015.

Issue urgent certified copy as per rules.

This order be communicated to the learned Arbitrator, forthwith.

The I.A. stands disposed of accordingly.

*AD*

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**( K.S. Jhaveri )**  
**Chief Justice**